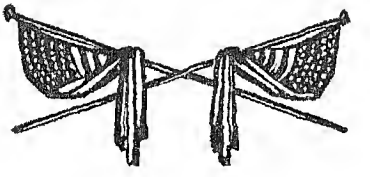
FAMOUS SPEECHES OF ABRAHAM LINCOLN



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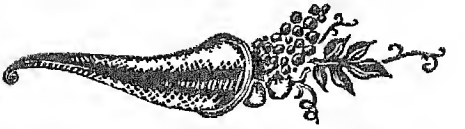
INTRODUCTION



THE political philosophy of Abraham Lincoln won a war, saved the Union, and made a people free. Yet this man was the author of no books, compiled no voluminous tracts, and wrote comparatively few letters. It was almost entirely the spoken word that brought the frontier circuit rider from his dingy, squalid law office at Springfield to the White House. Only those who heard them can fully appreciate the singular magnetism of Lincoln's speeches, but the printed page has preserved the flavor of his unique personality, perhaps to a greater degree than that of any other famous orator.

Sitting on the platform, Lincoln was not an imposing figure. Slouched in a chair, his lean legs crossed, hands sometimes crammed in trousers pockets, he seemed no taller than the average man. But when he rose to speak, the audience was startled at the phenomenal change in his appearance. His height of six feet four inches was majestic; his clear, high-pitched voice distinctly reached the outskirts of the biggest crowd, the deep-set eyes flashed and twinkled; the droll, captivating smile which expanded his furrowed cheeks revealed a mouth full of white, regular teeth, and wreathed his whole countenance in animation.

Sparing in the use of gestures, Lincoln stood squarely on his feet, with hands clasped behind his back, or one hand clutching the lapel of his coat and the other hanging easily at his side. When deeply moved, he would stretch himself beyond his already enormous height, throw his long, sinewy arms high above his head, pause for an instant in this attitude, and then sweep his huge fists through the air with a crashing emphasis that no one ever forgot.

In the backwoods of Indiana, when only fifteen years of age, Lincoln began to cultivate the native talent for oratory which it was soon evident he possessed. At every opportunity he would mount a stump in the field, while the other boys gathered around him, leaning on their hoes, and repeat a sermon or make a speech upon some familiar topic.

Even then he was an earnest student of words. Morning, noon and evening, whether on his way to work or eating his meager lunch of cornpone and bacon, or lying before the flickering light of the fireplace, he pored over Dilworth's Spelling Book and saturated himself with the pure English verse of the King James Bible, the quaint philosophy of Aesop's Fables, and the graphic prose of John Bunyan's inspiring allegory. At New Salem, Kirkham's Grammar, the Plays of Shakespeare, and the poems of Burns and Byron completed the list of books which may be said to have moulded his literary style.

Lincoln's life was spent in an era of formal, high sounding oratory, speeches filled with flamboyant phrases and artificial sentiment, liberally sprinkled with classical allusions, committed to memory and delivered with gestures of studied grace, often carefully rehearsed before mirrors. And, during the formative period at Springfield, he did not wholly escape the custom of his time. His early addresses, are couched in turgid rhetoric which the speaker discarded during the eventful years that followed.

Lincoln's ability as an orator lay in the forensic field, where the task was not to instruct or amuse, but to convince and inspire to action. He was at his best only when his emotions were strongly aroused and his whole heart enlisted in a cause. The slavery agitation of the early '50's fanned the spark of Lincoln's smouldering genius for expression. Abhorring human oppression, passionately devoted to the Union, the danger to the political structure founded by the fathers stirred him as nothing ever had before.

When the Missouri Compromise was repealed, Lincoln came upon the hustings of Illinois with a novel form of speech which provoked the ridicule of his opponents until they discovered its effect upon the throngs that listened so attentively. Gone were the smooth periods of classic tradition — the lurid rhetoric which Lincoln now humorously referred to as "fizzlegigs and fireworks." These speeches were marked by a stark simplicity of style, sentences of short, terse, Anglo-Saxon words, and aptness of illustration, and a keen, slashing logic, clothed in homely phrases, which the plain people understood.

There were no dogmatic assertions, no vehement denunciation, no bombastic pretence. Lincoln did not profess to know everything. He frankly admitted that the great issue of the day presented problems which he did not know how to solve. He had no harsh criticism for the Southern people. Standing there on muddy wind-swept prairies and dimly lighted platforms of village halls, talking the gentle language of reason, he appeared an embodiment of the wisdom, the love of liberty, the patriotism, hopes and aspirations of common men.

The House Divided speech, the Debates with Douglas, and the Cooper Institute Address made Lincoln President. Crushing responsibility of office and the travail of a divided country wrought in him a nobility of sentiment, a depth of feeling, a psychic exaltation which found expression in the crystal beauty of the First Inaugural, and the sublime rhythm of his great epic at Gettysburg. And when, on that memorable Fourth of March, 1865, stooped and battered by the storm of civil strife, he delivered the Second Inaugural, with its simple idiomatic elegance of diction, its calm humility and modest dignity, radiant with the spirit of peace, Lincoln the Orator entered the portal of immortality.

WILLIAM H. TOWNSEND

FAMOUS SPEECHES OF ABRAHAM LINCOLN

DRAWN BY JOHN RUDOLPH AFTER THE BUST BY SAINT GAUDENS

THE WAR WITH MEXICO: SPEECH IN THE UNITED STATES HOUSE OF REPRESENTATIVES JANUARY 12, 1848

This speech was made during Lincoln's one term in Congress. It followed the Whig line in condemning President Polk for starting the Mexican War; nevertheless it alienated his Whig supporters in Illinois, who refused to re-elect him on patriotic grounds and thus effectively truncated his political career.

MR. CHAIRMAN:

SOME, if not all, the gentlemen on the other side of the House, who have addressed the committee within the last two days, have spoken rather complainingly, if I have rightly understood them, of the vote given a week or ten days ago declaring that the war with Mexico was unnecessarily and unconstitutionally commenced by the President. I admit that such a vote should not be given in mere party wantonness, and that the one given is justly censurable, if it have no other or better foundation. I am one of those who joined in that vote; and I did so under my best impression of the *truth* of the case. How I got this impression, and how it may possibly be removed, I will now try to show. When the war began, it was my opinion that all those who, because of knowing

too *little*, or because of knowing too *much*, could not conscientiously approve the conduct of the President, (in the beginning of it,) should, nevertheless, as good citizens and patriots, remain silent on that point, at least till the war should be ended. Some leading Democrats, including ex-President Van Buren, have taken this same view, as I understand them; and I adhered to it and acted upon it, until since I took my seat here; and I think I should still adhere to it, were it not that the President and his friends will not allow it to be so. Besides, the continual effort of the President to argue every silent vote given for supplies into an endorsement of the justice and wisdom of his conduct; besides that singularly candid paragraph in his late message, in which he tells us that Congress, with great unanimity, (only two in the Senate and fourteen in the House dissenting,) had declared that "by the act of the Republic of Mexico a state of war exists between that Government and the United States"; when the same journals that informed him of this, also informed him that, when that declaration stood disconnected from the question of supplies, sixty-seven in the House, and not fourteen, merely, voted against it; besides this open attempt to prove by telling the *truth*, what he could not prove by telling the *whole truth*, demanding of all who will not submit to be misrepresented, in justice to themselves, to speak out; besides all this, one of my colleagues, at a very early day in the session, brought in a set of resolutions, expressly indorsing the original justice of the war on the part of the President. Upon these resolutions, when they shall be put on their passage, I shall be *compelled* to vote; so that I cannot be silent if I would. Seeing this, I went about preparing myself to give the vote understandingly, when it should come. I carefully ex-

amined the President's messages, to ascertain what he himself had said and proved upon the point. The result of this examination was to make the impression, that, taking for true all the President states as facts, he falls far short of proving his justification; and that the President would have gone further with his proof, if it had not been for the small matter that the *truth* would not permit him. Under the impression thus made, I gave the vote before mentioned. I propose now to give, concisely, the process of the examination I made, and how I reached the conclusion I did.

The President, in his first message of May, 1846, declares that the soil was *ours* on which hostilities were commenced by Mexico; and he repeats that declaration, almost in the same language, in each successive annual message — thus showing that he esteems that point a highly essential one. In the importance of that point, I entirely agree with the President. To my judgment, it is the *very point* upon which he should be justified or condemned. In his message of December, 1846, it seems to have occurred to him, as is certainly true, that title, ownership to soil or anything else, is not a simple fact, but is a conclusion following one or more simple facts; and that it was incumbent upon him to present the facts from which he concluded the soil was ours on which the first blood of the war was shed.

Accordingly, a little below the middle of page twelve, in the message last referred to, he enters upon that task; forming an issue and introducing testimony, extending the whole to a little below the middle of page fourteen. Now, I propose to try to show that the whole of this — issue and evidence — is, from beginning to end, the sheerest deception. The issue, as he presents it, is in these words: "But

there are those who, conceding all this to be true, assume the ground that the true western boundary of Texas is the Nueces, instead of the Rio Grande; and that, therefore, in marching our army to the east bank of the latter river, we passed the Texan line, and invaded the territory of Mexico." Now, this issue is made up of two affirmatives and no negative. The main deception of it is, that it assumes as true that *one* river or the *other* is necessarily the boundary, and cheats the superficial thinker entirely out of the idea that *possibly* the boundary is somewhere *between* the two, and not actually at either. A further deception is, that it will let in *evidence* which a true issue would exclude. A true issue made by the President would be about as follows: "I say the soil *was ours* on which the first blood was shed; there are those who say it was not."

I now proceed to examine the President's evidence, as applicable to such an issue. When that evidence is analyzed, it is all included in the following propositions:

1. That the Rio Grande was the western boundary of Louisiana, as we purchased it of France in 1803.

2. That the Republic of Texas always *claimed* the Rio Grande as her western boundary.

3. That, by various acts, she had claimed it *on paper*.

4. That Santa Anna, in his treaty with Texas, recognized the Rio Grande as her boundary.

5. That Texas before, and the United States after annexation, had exercised jurisdiction *beyond* the Nueces, *between* the two rivers.

6. That our Congress *understood* the boundary of Texas to extend beyond the Nueces.

Now for each of these in its turn:

His first item is, that the Rio Grande was the western boundary of Louisiana, as we purchased it of France in 1803; and, seeming to expect this to be disputed, he argues over the amount of nearly a page to prove it true; at the end of which, he lets us know that, by the treaty of 1819, we sold to Spain the whole country, from the Rio Grande eastward to the Sabine. Now, admitting, for the present, that the Rio Grande was the boundary of Louisiana, what, under heaven, had that to do with the present boundary between us and Mexico? How, Mr. Chairman, the line that once divided your land from mine can *still* be the boundary between us *after* I have sold my land to you, is, to me, beyond all comprehension. And how any man, with an honest purpose only of proving the truth, could ever have thought of introducing such a fact to prove such an issue, is equally incomprehensible. The outrage upon common *right*, of seizing as our own what we have once sold, merely because it *was* ours *before* we sold it, is only equalled by the outrage on common *sense* of any attempt to justify it.

The President's next piece of evidence is, that "the Republic of Texas always *claimed* this river (Rio Grande) as her western boundary." That is not true, in fact. Texas *has* claimed it, but she has not *always* claimed it. There is, at least, one distinguished exception. Her State constitution — the Republic's most solemn and well-considered act; that which may, without impropriety, be called her last will and testament, revoking all others — makes no such claim. But suppose she had always claimed it. Has not Mexico always claimed the contrary? So that there is but *claim* against *claim*, leaving nothing proved until we get back of the claims, and find which has the better *foundation*.

Though not in the order in which the President presents his evidence, I now consider that class of his statements, which are, in substance, nothing more than that Texas has, by various acts of her Convention and Congress, claimed the Rio Grande as her boundary — *on paper*. I mean here what he says about the fixing of the Rio Grande as her boundary, in her old constitution, (not her State constitution), about forming congressional districts, counties, &c. Now, all of this is but naked *claim;* and what I have already said about claims is strictly applicable to this. If I should claim your land by word of mouth, that certainly would not make it mine; and if I were to claim it by a deed which I had made myself, and with which you had had nothing to do, the claim would be quite the same in substance, or rather in utter nothingness.

I next consider the President's statement that Santa Anna, in his *treaty* with Texas, recognized the Rio Grande as the western boundary of Texas. Besides the position so often taken that Santa Anna, while a prisoner of war — a captive — *could* not bind Mexico by a treaty, which I deem conclusive; besides this, I wish to say something in relation to this treaty, so called by the President, with Santa Anna. If any man would like to be amused by a sight at that *little* thing, which the President calls by that *big* name, he can have it by turning to Niles's Register, volume 50, page 336. And if any one should suppose that Niles's Register is a curious repository of so mighty a document as a solemn treaty between nations, I can only say that I learned, to a tolerable degree of certainty, by inquiry at the State Department, that the President himself never saw it anywhere else. By the way, I believe I should not err if I were to declare, that during the first ten years of the existence of that

document, it was never by anybody *called* a treaty; that it was never so called till the President, in his extremity, attempted, by so calling it, to wring something from it in justification of himself in connection with the Mexican war. It has none of the distinguishing features of a treaty. It does not call itself a treaty. Santa Anna does not therein assume to bind Mexico; he assumes only to act as the President, Commander-in-chief of the Mexican army and navy; stipulates that the then present hostilities should cease, and that he would not *himself* take up arms, nor *influence* the Mexican people to take up arms, against Texas, during the existence of the war of independence. He did not recognize the independence of Texas; he did not assume to put an end to the war, but clearly indicated his expectation of its continuance; he did not say one word about boundary, and most probably never thought of it. It *is* stipulated therein that the Mexican forces should evacuate the territory of Texas, *passing to the other side of the Rio Grande;* and in another article it is stipulated, that to prevent collisions between the armies, the Texan army should not approach nearer than within five leagues — of *what* is not said — but clearly, from the object stated, it is of the Rio Grande. Now, if this is a treaty recognizing the Rio Grande as the boundary of Texas, it contains the singular feature of stipulating that Texas shall not go within five leagues of *her own* boundary.

Next comes the evidence of Texas before annexation, and the United States afterwards, exercising jurisdiction beyond the Nueces, and between the two rivers. This actual exercise of jurisdiction is the very class or quality of evidence we want. It is excellent so far as it goes; but does it go far enough? He tells us it went *beyond* the Nueces, but he does

not tell us it went *to* the Rio Grande. He tells us jurisdiction was exercised *between* the two rivers, but he does not tell us it was exercised over *all* the territory between them. Some simple-minded people think it *possible* to cross one river and go *beyond* it, without going *all the way* to the next; that jurisdiction may be exercised *between* two rivers without covering *all* the country between them. I know a man, not very unlike myself, who exercises jurisdiction over a piece of land between the Wabash and the Mississippi; and yet so far is this from being *all* there is between those rivers, that it is just one hundred and fifty-two feet long by fifty wide, and no part of it much within a hundred miles of either. He has a neighbor between him and the Mississippi — that is, just across the street, in that direction — whom, I am sure, he could neither *persuade* nor *force* to give up his habitation; but which, nevertheless, he could certainly annex, if it were to be done, by merely standing on his own side of the street and *claiming* it, or even sitting down and writing a *deed* for it.

But next, the President tells us, the Congress of the United States *understood* the State of Texas they admitted into the Union to extend *beyond* the Nueces. Well, I suppose they did — I certainly so understand it — but how *far* beyond? That Congress did *not* understand it to extend clear to the Rio Grande, is quite certain by the fact of their joint resolutions for admission expressly leaving all questions of boundary to future adjustment. And, it may be added, that Texas herself is proved to have had the same understanding of it that our Congress had, by the fact of the exact conformity of her new constitution to those resolutions.

I am now through the whole of the President's evidence; and it is a singular fact, that if any one

should declare the President sent the army into the midst of a settlement of Mexican people, who had never submitted, by consent or by force to the authority of Texas or of the United States, and that *there*, and *thereby*, the first blood of the war was shed, there is not one word in all the President has said which would either admit or deny the declaration. In this strange omission chiefly consists the deception of the President's evidence — an omission which, it does seem to me, could scarcely have occurred but by design. My way of living leads me to be about the courts of justice; and there I have sometimes seen a good lawyer, struggling for his client's neck, in a desperate case, employing every artifice to work round, befog, and cover up with many words some position pressed upon him by the prosecution, which he *dared* not admit, and yet *could* not deny. Party bias may help to make it appear so; but, with all the allowance I can make for such bias, it still does appear to me that just such, and from just such necessity, is the President's struggles in this case.

Some time after my colleague introduced the resolutions I have mentioned, I introduced a preamble, resolution, and interrogatories, intended to draw the President out, if possible, on this hitherto untrodden ground. To show their relevancy, I propose to state my understanding of the true rule for ascertaining the boundary between Texas and Mexico. It is, that wherever Texas was *exercising* jurisdiction was hers; and wherever Mexico was exercising jurisdiction was hers; and that *whatever* separated the actual exercise of jurisdiction of the one from that of the other, was the true boundary between them. If, as is probably true, Texas was exercising jurisdiction along the western bank of the Nueces, and Mexico was exer-

cising it along the eastern bank of the Rio Grande, then *neither* river was the boundary, but the uninhabited country between the two was. The extent of our territory in that region depended, not on any *treaty-fixed* boundary, (for no treaty had attempted it,) but on revolution. Any people anywhere, being inclined and having the power, have the *right* to rise up and shake off the existing government, and form a new one that suits them better. This is a most valuable, a most sacred right — a right which, we hope and believe, is to liberate the world. As to the country now in question, we bought it of France in 1803, and sold it to Spain in 1819, according to the President's statement. After this, all Mexico, including Texas, revolutionized against Spain; and still later, Texas revolutionized against Mexico. In my view, just so far as she carried her revolution, by obtaining the *actual*, willing or unwilling, submission of the people, so *far* the country was hers, and no farther.

Now, sir, for the purpose of obtaining the very best evidence as to whether Texas had actually carried her revolution to the place where the hostilities of the present war commenced, let the President answer the interrogatories I proposed, as before mentioned, or some other similar ones. Let him answer fully, fairly, and candidly. Let him answer with *facts*, and not with arguments. Let him remember he sits where Washington sat; and, so remembering, let him answer as Washington would answer. As a nation *should* not, and the Almighty *will* not, be evaded, so let him attempt no evasion, no equivocation. And if, so answering, he can show that the soil was ours where the first blood of the war was shed — that it was not within an inhabited country, or, if within such, that the inhabitants had submitted themselves to the civil

authority of Texas, or of the United States, and that the same is true of the site of Fort Brown — then I am with him for his justification. In that case, I shall be most happy to reverse the vote I gave the other day. I have a selfish motive for desiring that the President may do this; I expect to give some votes, in connection with the war, which, without his so doing, will be of doubtful propriety, in my own judgment, but which will be free from the doubt, if he does so. But if he *cannot* or *will not* do this — if, on any pretence, or no pretence, he shall refuse or omit it — then I shall be fully convinced, of what I more than suspect already, that he is deeply conscious of being in the wrong; that he feels the blood of this war, like the blood of Abel, is crying to Heaven against him; that he ordered General Taylor into the midst of a peaceful Mexican settlement, purposely to bring on a war; that originally having some strong motive — what I will not stop now to give my opinion concerning — to involve the two countries in a war, and trusting to escape scrutiny by fixing the public gaze upon the exceeding brightness of military glory — that attractive rainbow that rises in showers of blood — that serpent's eye that charms to destroy — he plunged into it, and has swept *on* and *on*, till, disappointed in his calculation of the ease with which Mexico might be subdued, he now finds himself he knows not where. How like the half-insane mumbling of a fever dream is the whole war part of the late message! At one time telling us that Mexico has nothing whatever that we can get but territory; at another, showing us how we can support the war by levying contributions on Mexico. At one time urging the national honor, the security of the future, the prevention of foreign interference, and even the good of Mexico herself, as

among the objects of the war; at another, telling us that, "to reject indemnity, by refusing to accept a cession of territory, would be to abandon all our just demands, and to wage the war, bearing all its expenses, *without a purpose or definite object.*" So, then, the national honor, security of the future, and everything but territorial indemnity, may be considered the *no-purposes* and *indefinite* objects of the war! But, having it now settled that territorial indemnity is the only object, we are urged to seize, by legislation here, all that he was content to take a few months ago, and the whole province of Lower California to boot, and to still carry on the war — to take *all* we are fighting for, and *still* fight on. Again, the President is resolved, under all circumstances, to have full territorial indemnity for the expenses of the war; but he forgets to tell us how we are to get the *excess* after those expenses shall have surpassed the value of the *whole* of the Mexican territory. So, again, he insists that the separate national existence of Mexico shall be maintained; but he does not tell us *how* this can be done after we shall have taken *all* her territory. Lest the questions I here suggest be considered speculative merely, let me be indulged a moment in trying to show they are not.

The war has gone on some twenty months; for the expenses of which, together with an inconsiderable old score, the President now claims about one half of the Mexican territory, and that by far the better half, so far as concerns our ability to make anything out of it. It is comparatively uninhabited; so that we could establish land offices in it, and raise some money in that way. But the other half is already inhabited, as I understand it, tolerably densely for the nature of the country; and all its lands, or all that are valuable, already appro-

priated as private property. How, then, are we to make anything out of these lands with this encumbrance on them, or how remove the encumbrance? I suppose no one will say we should kill the people, or drive them out, or make slaves of them, or even confiscate their property? How, then, can we make much out of this part of the territory? If the prosecution of the war has, in expenses, already equaled the *better* half of the country, how long its future prosecution will be in equaling the less valuable half is not a *speculative*, but a *practical* question, pressing closely upon us; and yet it is a question which the President seems never to have thought of.

As to the mode of terminating the war and securing peace, the President is equally wandering and indefinite. First, it is to be done by a more vigorous prosecution of the war in the vital parts of the enemy's country; and, after apparently talking himself tired on this point, the President drops down into a half despairing tone, and tells us, that "with a people distracted and divided by contending factions, and a Government subject to constant changes, by successive revolutions, *the continued success of our arms may fail to obtain a satisfactory peace.*" Then he suggests the propriety of wheedling the Mexican people to desert the counsels of their own leaders, and, trusting in our protection, to set up a Government from which we can secure a satisfactory peace, telling us that "*this may become the only mode of obtaining such a peace.*" But soon he falls into doubt of this too, and then drops back on to the already half-abandoned ground of "more vigorous prosecution." All this shows that the President is in no wise satisfied with his own positions. First, he takes up one, and, in attempting to argue us *into* it, he argues himself

out of it; then seizes another, and goes through the same process; and then, confused at being able to think of nothing new, he snatches up the old one again, which he has some time before cast off. His mind, tasked beyond its power, is running hither and thither, like some tortured creature on a burning surface, finding no position on which it can settle down and be at ease.

Again, it is a singular omission in this message, that it nowhere intimates *when* the President expects the war to terminate. At its beginning, General Scott was, by this same President, driven into disfavor, if not disgrace, for intimating that peace could not be conquered in less than three or four months. But now, at the end of about twenty months, during which time our arms have given us the most splendid successes — every department, and every part, land and water, officers and privates, regulars and volunteers, doing all that men *could* do, and hundreds of things which it had ever before been thought men could *not* do; after all this, this same President gives us a long message without showing us that, *as to the end*, he has himself even an imaginary conception.

As I have before said, he knows not where he is. He is a bewildered, confounded, and miserably-perplexed man. God grant he may be able to show there is not something about his conscience more painful than all his mental perplexity!

THE PRESIDENTIAL CANDIDATES: SPEECH IN THE UNITED STATES HOUSE OF REPRESENTATIVES JULY 27, 1848

In the 1848 election, Polk had declined renomination and the Democrats nominated Lewis Cass But dissident Democrats, combining with other small groups, voted for Van Buren, and thus permitted the election of the Whig candidate, Zachary Taylor.

MR. SPEAKER:

OUR Democratic friends seem to be in great distress because they think our candidate for the Presidency don't suit *us*. Most of them cannot find out that General Taylor has any principles at all; some, however, have discovered that he has *one*, but that that one is entirely wrong. This one principle is his position on the veto power. The gentleman from Tennessee who has just taken his seat, indeed, has said there is very little if any difference on this question between General Taylor and all the Presidents; and he seems to think it sufficient detraction from General Taylor's position on it, that it has nothing new in it. But all others, whom I have heard speak, assail it furiously. A new member from Kentucky, of very considerable ability, was in particular concern about

it. He thought it altogether novel and unprecedented for a President, or a Presidential candidate, to think of approving bills whose constitutionality may not be entirely clear to his own mind. He thinks the ark of our safety is gone, unless Presidents shall always veto such bills as, in their judgment, may be of *doubtful* constitutionality. However clear Congress may be of their authority to pass any particular act, the gentleman from Kentucky thinks the President must veto it if *he* has *doubts* about it. Now I have neither time nor inclination to argue with the gentleman on the veto power as an original question; but I wish to show that General Taylor, and not he, agrees with the earlier statesmen on this question. When the bill chartering the first Bank of the United States passed Congress, its constitutionality was questioned; Mr. Madison, then in the House of Representatives, as well as others, had opposed it on that ground. General Washington, as President, was called on to approve or reject it. He sought and obtained, on the constitutional question, the separate written opinion of Jefferson, Hamilton, and Edmund Randolph, they then being respectively Secretary of State, Secretary of the Treasury, and Attorney-General. Hamilton's opinion was for the power; while Randolph's and Jefferson's were both against it. Mr. Jefferson, after giving his opinion decidedly against the constitutionality of that bill, closes his letter with the paragraph which I now read: "It must be admitted, however, that unless the President's mind, on a view of everything which is urged for and against this bill, is tolerably clear that it is unauthorized by the Constitution; if the pro and the con hang so even as to balance his judgment, a just respect for the wisdom of the legislature would naturally decide the balance in

favor of their opinion; it is chiefly for cases where they are clearly misled by error, ambition, or interest, that the Constitution has placed a check in the negative of the President."

General Taylor's opinion, as expressed in his Allison letter, is as I now read: "The power given by the veto is a high conservative power; but, in my opinion, should never be exercised, except in cases of clear violation of the Constitution, or manifest haste and want of consideration by Congress."

It is here seen that, in Mr. Jefferson's opinion, if, on the constitutionality of any given bill, the President *doubts*, he is not to veto it, as the gentleman from Kentucky would have him do, but is to defer to Congress and approve it. And if we compare the opinions of Jefferson and Taylor, as expressed in these paragraphs, we shall find them more exactly alike than we can often find any two expressions having any literal difference. None but interested fault-finders, I think, can discover any substantial variation.

But gentlemen on the other side are unanimously agreed that General Taylor has no other principles. They are in utter darkness as to his opinions on any of the questions of policy which occupy the public attention. But is there any doubt as to what he will *do* on the prominent questions, if elected? Not the least. It is not possible to know what he will or would do in every imaginable case; because many questions have passed away, and others doubtless will arise which none of us have yet thought of; but on the prominent questions of currency, tariff, internal improvements, and Wilmot proviso, General Taylor's course is at least as well defined as is General Cass's. Why, in their eagerness to get at General Taylor, several Democratic members here have desired to

know whether, in case of his election, a bankrupt law is to be established. Can they tell us General Cass's opinion on this question? [Some member answered, "He is against it."] Aye, how do you know he is? There is nothing about it in the platform, nor elsewhere, that I have seen. If the gentleman knows anything which I do not, he can show it. But to return: General Taylor, in his Allison letter, says: "Upon the subject of the tariff, the currency, the improvement of our great highways, rivers, lakes, and harbors, the will of the people, as expressed through their Representatives in Congress, ought to be respected and carried out by the Executive."

Now, this is the whole matter—in substance, it is this: The people say to General Taylor, "If you are elected, shall we have a national bank?" He answers, "*Your* will, gentlemen, not *mine*." "What about the tariff?" "Say yourselves." "Shall our rivers and harbors be improved?" "Just as you please. If you desire a bank, an alteration of the tariff, internal improvements, any or all, I will not hinder you; if you do not desire them, I will not attempt to force them on you. Send up your members of Congress from the various districts, with opinions according to your own, and if they are for these measures, or any of them, I shall have nothing to oppose; if they are not for them, I shall not, by any appliances whatever, attempt to dragoon them into their adoption." Now, can there be any difficulty in understanding this? To you, Democrats, it may not seem like principle; but surely you cannot fail to perceive the position plainly enough. The distinction between it and the position of your candidate is broad and obvious, and I admit you have a clear right to show it is wrong, if you can; but you have no right to pretend

you cannot see it at all. We see it, and to us it appears like principle, and the best sort of principle at that — the principle of allowing the people to do as they please with their own business. My friend from Indiana has aptly asked, "Are you willing to trust the people?" Some of you answered, substantially, "We are willing to trust the people; but the President is as much the representative of the people as Congress." In a certain sense, and to a certain extent, he is the representative of the people. He is elected by them, as well as Congress is.

But can he, in the nature of things, know the wants of the people as well as three hundred other men coming from all the various localities of the nation? If so, where is the propriety of having a Congress? That the Constitution gives the President a negative on legislation, all know; but that this negative should be so combined with platforms and other appliances as to enable him, and, in fact, almost compel him, to take the whole of legislation into his own hands, is what we object to — is what General Taylor objects to — and is what constitutes the broad distinction between you and us. To thus transfer legislation is clearly to take it from those who understand with minuteness the interest of the people, and give it to one who does not and cannot so well understand it. I understand your idea, that if a Presidential candidate avow his opinion upon a given question, or rather upon all questions, and the people, with full knowledge of this, elect him, they thereby distinctly approve all those opinions. This, though plausible, is a most pernicious deception. By means of it measures are adopted or rejected, contrary to the wishes of the whole of one party, and often nearly half of the other. The process is this: Three, four, or

half a dozen questions are prominent at a given time; the party selects its candidate, and he takes his position on each of these questions. On all but one his positions have already been endorsed at former elections, and his party fully committed to them; but that one is new, and a large portion of them are against it. But what are they to do? The whole are strung together, and they must take all or reject all. They cannot take what they like and leave the rest. What they are already committed to, being the majority, they shut their eyes and gulp the whole. Next election, still another is introduced in the same way. If we run our eyes along the line of the past, we shall see that almost, if not quite, all the articles of the present Democratic creed have been at first forced upon the party in this very way. And just now, and just so, opposition to internal improvements is to be established if General Cass shall be elected. Almost half the Democrats here are for improvements, but they will vote for Cass, and if he succeeds, their votes will have aided in closing the doors against improvements. Now, this is a process which we think is wrong. We prefer a candidate who, like General Taylor, will allow the people to have their own way regardless of his private opinion; and I should think the internal-improvement Democrats at least, ought to prefer such a candidate. He would force nothing on them which they don't want, and he would allow them to have improvements, which their own candidate, if elected, will not.

Mr. Speaker, I have said General Taylor's position is as well defined as is that of General Cass. In saying this, I admit I do not certainly know what he would do on the Wilmot proviso. I am a northern man, or, rather, a western free State man, with a constituency I believe to be, and with personal feel-

ings I know to be, against the extension of slavery. As such, and with what information I have, I hope, and *believe*, General Taylor, if elected, would not veto the proviso; but I do not *know* it. Yet, if I knew he would, I still would vote for him. I should do so, because, in my judgment, his election alone can defeat General Cass; and because, *should* slavery thereby go into the territory we now have, just so much will certainly happen by the election of Cass; and, in addition, a course of policy leading to new wars, new acquisitions of territory, and still further extensions of slavery. One of the two is to be President: which is preferable?

But there is as much doubt of Cass on improvements as there is of Taylor on the proviso. I have no doubt myself of General Cass on this question, but I know the Democrats differ among themselves as to his position. My internal-improvement colleague stated on this floor the other day, that he was satisfied Cass was for improvements, because he had voted all the bills that he (Mr. W.) had. So far so good. But Mr. Polk vetoed some of these very bills; the Baltimore Convention passed a set of resolutions, among other things, approving these vetoes, and Cass declares, in his letter accepting the nomination, that he has carefully read these resolutions, and that he adheres to them as firmly as he approves them cordially. In other words, General Cass voted for the bills, and thinks the President did right to veto them; and his friends here are amiable enough to consider him as being on one side or the other, just as one or the other may correspond with their own respective inclinations. My colleague admits that the platform declares against the constitutionality of a general system of improvements, and that General Cass endorses the platform; but he still thinks Gen-

eral Cass is in favor of some sort of improvements. Well, what are they? As he is against *general* objects, those he is *for*, must be *particular* and *local*. Now, this is taking the subject precisely by the wrong end. *Particularity* — expending the money of the *whole* people for an object which will benefit only a *portion* of them, is the greatest real objection to improvements, and has been so held by General Jackson, Mr. Polk, and all others, I believe, till now. But now, behold, the objects most general, nearest free from this objection, are to be rejected, while those most liable to it are to be embraced. To return: I cannot help believing that General Cass, when he wrote his letter of acceptance, well understood he was to be claimed by the advocates of both sides of this question, and that he then closed the door against all further expressions of opinion, purposely to retain the benefits of that double position. His subsequent equivocation at Cleveland, to my mind, proves such to have been the case.

One word more, and I shall have done with this branch of the subject. You Democrats, and your candidate, in the main, are in favor of laying down, in advance, a platform — a set of party positions, as a unit; and then of enforcing the people, by every sort of appliance, to ratify them, however unpalatable some of them may be. We, and our candidate, are in favor of making Presidential elections and the legislation of the country distinct matters; so that the people can elect whom they please, and afterwards, legislate just *as* they please, without any hindrance, save only so much as may guard against infractions of the Constitution, undue haste, and want of consideration. The difference between us is clear as noon-day. That we are right we cannot doubt. We hold the true Republican position. In leaving the people's business in

their hands, we cannot be wrong. We are willing, and even anxious, to go to the people on this issue.

But I suppose I cannot reasonably hope to convince you that we have any principles. The most I can expect is, to assure you that we think we have, and are quite contented with them. The other day, one of the gentlemen from Georgia [Mr. Iverson], an eloquent man, and a man of learning, so far as I can judge, not being learned myself, came down upon us astonishingly. He spoke in what the Baltimore American calls the "scathing and withering style." At the end of his second severe flash I was struck blind, and found myself feeling with my fingers for an assurance of my continued physical existence. A little of the bone was left, and I gradually revived. He eulogized Mr. Clay in high and beautiful terms, and then declared that we had deserted all our principles, and had turned Henry Clay out, like an old horse, to root. This is terribly severe. It cannot be answered by argument; at least, I cannot so answer it. I merely wish to ask the gentleman if the Whigs are the only party he can think of, who sometimes turn old horses out to root. Is not a certain Martin Van Buren an old horse, which your own party have turned out to root? and is he not rooting a little to your discomfort about now? But in not nominating Mr. Clay, we deserted our principles, you say. Ah! in what? Tell us, ye men of principles, what principle we violated? We say you did violate principle in discarding Van Buren, and we can tell you how. You violated the primary, the cardinal, the one great living principle of all Democratic representative government — the principle that the representative is bound to carry out the known will of his constituents. A large majority of the Baltimore Convention of 1844 were, by their constituents, in-

structed to procure Van Buren's nomination if they could. In violation, in utter, glaring contempt of this, you rejected him — rejected him, as the gentleman from New York, the other day expressly admitted, for *availability* — that same "General Availability" which you charge upon us, and daily chew over here, as something exceedingly odious and unprincipled. But the gentleman from Georgia gave us a second speech yesterday, all well considered and put down in writing, in which Van Buren was scathed and withered a "few" for his present position and movements. I cannot remember the gentleman's precise language, but I do remember he put Van Buren down, down, till he got him where he was finally to "stink" and "rot."

Mr. Speaker, it is no business or inclination of mine to defend Martin Van Buren. In the war of extermination now waging between him and his old admirers, I say, devil take the hindmost — and the foremost. But there is no mistaking the origin of the breach; and if the curse of "stinking" and "rotting" is to fall on the first and greatest violators of principle in the matter, I disinterestedly suggest, that the gentleman from Georgia and his present co-workers are bound to take it upon themselves.

But the gentleman from Georgia further says, we have deserted all our principles, and taken shelter under General Taylor's military coat tail; and he seems to think this is exceedingly degrading. Well, as his faith is, so be it unto him. But can he remember no other military coat tail under which a certain other party have been sheltering for near a quarter of a century? Has he no acquaintance with the ample military coat tail of General Jackson? Does he not know that his own party have run the last five Presidential races under that coat tail,

and that they are now running the sixth under that same cover? Yes, sir, that coat tail was used, not only for General Jackson himself, but has been clung to with the grip of death by every Democratic candidate since. You have never ventured, and dare not now venture, from under it. Your campaign papers have constantly been "Old Hickories," with rude likenesses of the old General upon them; hickory poles and hickory brooms your never-ending emblems; Mr. Polk, himself, was "Young Hickory," "Little Hickory," or something so; and even now your campaign paper here is proclaiming that Cass and Butler are of the true "Hickory stripe."

No, sir; you dare not give it up. Like a horde of hungry ticks, you have stuck to the tail of the Hermitage lion to the end of his life, and you are still sticking to it, and drawing a loathsome sustenance from it after he is dead. A fellow once advertised that he had made a discovery, by which he could make a new man out of an old one, and have enough of the stuff left to make a little yellow dog. Just such a discovery has General Jackson's popularity been to you. You not only twice made President of him out of it, but you have had enough of the stuff left to make Presidents of several comparatively small men since; and it is your chief reliance now to make still another.

Mr. Speaker, old horses and military coat tails, or tails of any sort, are not figures of speech such as I would be the first to introduce into discussions here; but as the gentleman from Georgia has thought fit to introduce them, he and you are welcome to all you have made, or can make, by them. If you have any more old horses, trot them out; any more tails, just cock them, and come at us.

I repeat, I would not introduce this mode of dis-

cussion here; but I wish gentlemen on the other side to understand, that the use of degrading figures is a game at which they may not find themselves able to take all the winnings. [We give it up.] Aye, you give it up, and well you may, but from a very different reason from that which you would have us understand. The point — the power to hurt — of all figures, consists in the *truthfulness* of their application; and understanding this, you may well give it up. They are weapons which hit you, but miss us.

But, in my hurry, I was very near closing on the subject of military tails, before I was done with it. There is one entire article of the sort I have not discussed yet; I mean the military tail you Democrats are now engaged in dovetailing on to the great Michigander. Yes, sir, all his biographers (and they are legion) have him in hand, tying him to a military tail, like so many mischievous boys tying a dog to a bladder of beans. True, the material they have is very limited; but they drive at it, might and main. He *in*vaded Canada without resistance, and he *out*vaded it without pursuit. As he did both under orders, I suppose there was, to him, neither credit nor discredit in them; but they are made to constitute a large part of the tail. He was not at Hull's surrender, but he was close by. He was volunteer aid to General Harrison on the day of the battle of the Thames; and, as you said in 1840, Harrison was picking whortleberries two miles off, while the battle was fought, I suppose it is a just conclusion, with you, to say Cass was aiding Harrison to pick whortleberries. This is about all, except the mooted question of the broken sword. Some authors say he broke it; some say he threw it away; and some others, who ought to know, say nothing about it. Perhaps it would be a fair historical com-

promise to say, if he did not break it, he did not do anything else with it.

By the way, Mr. Speaker, did you know I am a military hero? Yes, sir, in the days of the Black Hawk war, I fought, bled, and came away. Speaking of General Cass's career, reminds me of my own. I was not at Stillman's defeat, but I was about as near it as Cass was to Hull's surrender; and, like him, I saw the place very soon afterwards. It is quite certain I did not break my sword, for I had none to break; but I bent a musket pretty badly on one occasion. If Cass broke his sword, the idea is, he broke it in desperation; I bent the musket by accident. If General Cass went in advance of me in picking whortleberries, I guess I surpassed him in charges upon the wild onions. If he saw any live fighting Indians, it was more than I did, but I had a good many bloody struggles with the mosquitoes; and although I never fainted from loss of blood, I can truly say I was often very hungry.

Mr. Speaker, if I should ever conclude to doff whatever our Democratic friends may suppose there is of black-cockade Federalism about me, and, thereupon, they shall take me up as their candidate for the Presidency, I protest they shall not make fun of me, as they have of General Cass, by attempting to write me into a military hero.

While I have General Cass in hand, I wish to say a word about his political principles. As a specimen, I take the record of his progress on the Wilmot proviso. In the Washington Union, of March 2, 1847, there is a report of a speech of General Cass, made the day before in the Senate, on the Wilmot proviso, during the delivery of which Mr. Miller, of New Jersey, is reported to have interrupted him as follows, to wit:

"Mr. Miller expressed his great surprise at the change in the sentiments of the Senator from Michigan, who had been regarded as the great champion of freedom in the northwest, of which he was a distinguished ornament. Last year the Senator from Michigan was understood to be decidedly in favor of the Wilmot proviso; and, as no reason had been stated for the change, he (Mr. M.) could not refrain from the expression of his extreme surprise."

To this General Cass is reported to have replied as follows, to wit:

"Mr. Cass said, that the course of the Senator from New Jersey was most extraordinary. Last year he (Mr. C.) should have voted for the proposition had it come up. But circumstances had altogether changed. The honorable Senator then read several passages from the remarks as given above, which he had committed to writing, in order to refute such a charge as that of the Senator from New Jersey."

In the "remarks above committed to writing," is one numbered 4, as follows, to wit:

"4th. Legislation would now be wholly inoperative, because no territory hereafter to be acquired can be governed without an act of Congress providing for its government. And such an act, on its passage, would open the whole subject, and leave the Congress, called on to pass it, free to exercise its own discretion, entirely uncontrolled by any declaration found in the statute book."

In Niles's Register, vol. 73, page 293, there is a letter of General Cass to A. O. P. Nicholson, of Nashville, Tennessee, dated December 24, 1847, from which the following are correct extracts:

"The Wilmot proviso has been before the country some time. It has been repeatedly discussed in Congress, and by the public press. I am strongly impressed with the opinion that a great change has been going on in the public mind upon this subject — in my own as well as others; and that doubts are resolving themselves into convictions, that the principle it involves should be kept out of the National Legislature, and left to the people of the Confederacy in their respective local Governments . . .

"Briefly, then, I am opposed to the exercise of any jurisdiction by Congress over this matter; and I am in favor of leaving the people of any territory which may be hereafter acquired the right to regulate it themselves, under the general principles of the Constitution. Because,

"1. I do not see in the Constitution any grant of the requisite power to Congress; and I am not disposed to extend a doubtful precedent beyond its necessity — the establishment of territorial governments when needed — leaving to the inhabitants all the rights compatible with the relations they bear to the Confederation."

These extracts show that, in 1846, General Cass was for the proviso *at once;* that in March, 1847, he was still for it, *but not just then;* and that, in December, 1847, he was *against* it altogether. This is a true index to the whole man. When the question was raised in 1846, he was in a blustering hurry to take ground for it. He sought to be in advance, and to avoid the uninteresting position of a mere follower; but soon he began to see glimpses of the great Democratic ox-gad waving in his face, and to hear, indistinctly, a voice saying, "Back," "back, sir," "back a little." He shakes his head; and bats his eyes, and blunders back to his position of

March, 1847; but still the gad waves, and the voice grows more distinct, and sharper still—"Back, sir!" "Back, I say!" "Further back!" and back he goes to the position of December, 1847; at which the gad is still, and the voice soothingly says — "So!" "Stand at that."

Have no fears, gentlemen, of your candidate; he exactly suits you, and we congratulate you upon it. However much you may be distressed about *our* candidate, you have all cause to be contented and happy with your own. If elected, he may not maintain all, or even any, of his positions previously taken; but he will be sure to do whatever the party exigency, for the time being, may require; and that is precisely what you want. He and Van Buren are the same "manner of men"; and, like Van Buren, he will never desert *you* till you first desert *him*.

Mr. Speaker, I adopt the suggestion of a friend, that General Cass is a general of splendidly successful *charges* — charges, to be sure, not upon the public enemy, but upon the public treasury.

He was Governor of Michigan Territory, and, *ex-officio*, superintendent of Indian affairs, from the 9th of October, 1813, till the 31st of July, 1831 — a period of seventeen years, nine months, and twenty-two days. During this period, he received from the United States treasury, for personal services and personal expenses, the aggregate sum of $96,028 — being an average sum of $14.79 per day for every day of the time. This large sum was reached by assuming that he was doing service and incurring expenses at several different *places*, and in several different *capacities* in the *same* place, all at the same *time*. By a correct analysis of his accounts during that period, the following propositions may be deduced:

First. He was paid in *three* different capacities during the *whole* of the time — that is to say:

1. As Governor's salary, at the rate, per year, of $2,000.

2. As estimated for office rent, clerk hire, fuel, &c., in superintendence of Indian affairs *in* Michigan, at the rate, per year, of $1,500.

3. As compensation and expenses, for various miscellaneous items of Indian service *out* of Michigan, an average, per year, of $625.

Second. During *part* of the time, that is, from the 9th of October, 1813, to the 29th of May, 1822, he was paid in *four* different capacities — that is to say:

The three as above, and in addition thereto the commutation of ten rations per day, amounting per year, to $730.

Third. During *another* part of the time, that is, from the beginning of 1822 to the 31st of July, 1831, he was also paid in *four* different capacities — that is to say:

The *first* three, as above, (the rations being dropped after the 29th of May, 1822,) and, in addition thereto, for superintending Indian agencies at Piqua, Ohio, Fort Wayne, Indiana, and Chicago, Illinois, at the rate, per year, of $1,500. It should be observed here, that the last item, commencing at the beginning of 1822, and the item of rations, ending on the 29th of May, 1822, lap on each other during so much of the time as lies between those two dates.

Fourth. Still another part of the time, that is, from the 31st of October, 1821, to the 29th of May, 1822, he was paid in *six* different capacities — that is to say:

The three first, as above; the item of rations, as above; and, in addition thereto, another item of ten

rations per day while at Washington, settling his accounts; being at the rate, per year, of $730.

And, also, an allowance for expenses travelling to and from Washington, and while there, of $1,022; being at the rate, per year, of $1,793.

Fifth. And yet, during the little portion of time which lies between the 1st of January, 1822, and the 29th of May, 1822, he was paid in *seven* different capacities; that is to say:

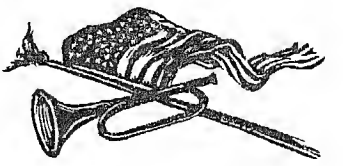
The six last mentioned, and also at the rate of $1,500 per year for the Piqua, Fort Wayne, and Chicago service, as mentioned above.

These accounts have already been discussed some here; but when we are amongst them, as when we are in the Patent Office, we must peep about a good while before we can see all the curiosities. I shall not be tedious with them. As to the large item of $1,500 per year, amounting in the aggregate to $26,715, for office rent, clerk hire, fuel, &c., I barely wish to remark that, so far as I can discover in the public documents, there is no evidence, by word or inference, either from any disinterested witness, or of General Cass himself, that he ever rented or kept a separate office, ever hired or kept a clerk, or ever used any extra amount of fuel, &c., in consequence of his Indian services. Indeed, General Cass's entire silence in regard to these items in his two long letters, urging his claims upon the Government, is, to my mind, almost conclusive that no such items had any real existence.

But I have introduced General Cass's accounts here, chiefly to show the wonderful physical capacities of the man. They show that he not only did the labor of several men at the same *time*, but that he often did it at several *places* many hundred miles apart, *at the same time*. And at eating, too, his capacities are shown to be quite as wonderful.

From October, 1821, to May, 1822, he ate ten rations a day in Michigan, ten rations a day here in Washington, and near five dollars' worth a day besides, partly on the road between the two places. And then there is an important discovery in his example — the art of being paid for what one eats, instead of having to pay for it. Hereafter, if any nice young man shall owe a bill which he cannot pay in any other way, he can just board it out. Mr. Speaker, we have all heard of the animal standing in doubt between two stacks of hay, and starving to death; the like of that would never happen to General Cass. Place the stacks a thousand miles apart, he would stand stock-still midway between them, and eat them both at once; and the green grass along the line would be apt to suffer some too, at the same time. By all means, make him President, gentlemen. He will feed you bounteously — if — if there is any left after he shall have helped himself!

REPEAL OF THE MISSOURI COMPROMISE: SPEECH AT PEORIA, ILLINOIS, IN REPLY TO SENATOR DOUGLAS OCTOBER 16, 1854



With this speech Lincoln re-entered politics. A trans-continental railway was planned, but the route was not yet fixed. Stephen Douglas, with a personal interest in a central route, had put through a deal whereby the Southern Democrats relinquished a Southern route in exchange for his support in opening up the Kansas-Nebraska territory to slavery.

FELLOW-CITIZENS:

THE repeal of the Missouri Compromise, and the propriety of its restoration, constitute the subject of what I am about to say.

As I desire to present my own connected view of this subject, my remarks will not be, specifically, an answer to Judge Douglas; yet, as I proceed, the main points he has presented will arise, and will receive such respectful attention as I may be able to give them.

I wish further to say, that I do not propose to question the patriotism, or to assail the motives of any man, or class of men; but rather to strictly confine myself to the naked merits of the question.

I also wish to be no less than National in all the positions I may take; and whenever I take ground which others have thought, or may think, narrow,

sectional, and dangerous to the Union, I hope to give a reason, which will appear sufficient, at least to some, why I think differently.

And, as this subject is no other, than part and parcel of the larger general question of domestic slavery, I wish to MAKE and to KEEP the distinction between the *existing* institution, and the EXTENSION of it, so broad, and so clear, that no honest man can misunderstand me, and no dishonest one, successfully misrepresent me.

In order to get a clear understanding of what the Missouri Compromise is, a short history of the preceding kindred subjects will perhaps be proper. When we established our independence, we did not own, or claim, the country to which this compromise applies. Indeed, strictly speaking, the confederacy then owned no country at all; the States respectively owned the country within their limits; and some of them owned territory beyond their strict State limits. Virginia thus owned the North-Western territory — the country out of which the principal part of Ohio, all Indiana, all Illinois, all Michigan and all Wisconsin, have since been formed. She also owned (perhaps within her then limits) what has since been formed into the State of Kentucky. North Carolina thus owned what is now the State of Tennessee; and South Carolina and Georgia, in separate parts, owned what are now Mississippi and Alabama. Connecticut, I think, owned the little remaining part of Ohio — being the same where they now send Giddings to Congress, and beat all creation at making cheese. These territories, together with the States themselves, constituted all the country over which the confederacy then claimed any sort of jurisdiction. We were then living under the Articles of Confederation, which were superseded by the Consti-

tution several years afterwards. The question of ceding these territories to the general government was set on foot. Mr. Jefferson, the author of the Declaration of Independence, and otherwise a chief actor in the Revolution; then a delegate in Congress; afterwards twice President; who was, is, and perhaps will continue to be, the most distinguished politician of our history; a Virginian by birth and continued residence, and withal, a slave-holder; conceived the idea of taking that occasion, to prevent slavery ever going into the northwestern territory. He prevailed on the Virginia legislature to adopt his views, and to cede the territory, making the prohibition of slavery therein, a condition of the deed. Congress accepted the cession, with the condition; and in the first Ordinance (which the acts of Congress were then called) for the government of the territory, provided that slavery should never be permitted therein. This is the famed ordinance of '87 so often spoken of. Thenceforward, for sixty-one years, and until in 1848, the last scrap of this territory came into the Union as the State of Wisconsin, all parties acted in quiet obedience to this ordinance. It is now what Jefferson foresaw and intended — the happy home of teeming millions of free, white, prosperous people, and no slave amongst them.

Thus, with the author of the declaration of Independence, the policy of prohibiting slavery in new territory originated. Thus, away back of the Constitution, in the pure, fresh, free breath of the revolution, the State of Virginia, and the National Congress put that policy in practice. — Thus, through sixty odd of the best years of the republic did that policy steadily work to its great and beneficent end. And thus, in those five states, and five millions of free, enterprising people, we have be-

fore us the rich fruits of this policy. But *now* new light breaks upon us. — Now Congress declares this ought never to have been; and the like of it, must never be again. — The sacred right of self-government is grossly violated by it! We even find some men, who drew their first breath, and every other breath of their lives, under this very restriction, now live in dread of absolute suffocation, if they should be restricted in the "sacred right" of taking slaves to Nebraska. That *perfect* liberty they sigh for — the liberty of making slaves of other people — Jefferson never thought of; their own father never thought of, they never thought of themselves, a year ago. How fortunate for them, they did not sooner become sensible of their great misery! Oh, how difficult it is to treat with respect such assaults upon all we have ever really held sacred!

But to return to history. In 1803 we purchased what was then called Louisiana, of France. It included the now States of Louisiana, Arkansas, Missouri, and Iowa; also the territory of Minnesota, and the present bone of contention, Kansas and Nebraska. Slavery already existed among the French at New Orleans; and to some extent at St. Louis. In 1812 Louisiana came into the Union as a slave state, without controversy. In 1818 or '19, Missouri showed signs of a wish to come in with slavery. This was resisted by Northern members of Congress; and thus began the first great slavery agitation in the nation. This controversy lasted several months, and became very angry and exciting; the House of Representatives voting steadily for the prohibition of slavery in Missouri, and the Senate voting as steadily against it. Threats of breaking up the Union were freely made; and the ablest public men of the day became seriously alarmed. At length a compromise was made, in

which, like all compromises, both sides yielded something. It was a law passed on the 6th day of March, 1820, providing that Missouri might come into the Union *with* slavery, but that in all the remaining part of the territory purchased of France, which lies north of 36 degrees and 30 minutes north latitude, slavery should never be permitted. This provision of law, *is the Missouri Compromise.* In excluding slavery north of the line, the same language is employed as in the ordinance of '87. It directly applied to Iowa, Minnesota, and to the present bone of contention, Kansas and Nebraska. Whether there should or should not, be slavery south of that line, nothing was said in the law; but Arkansas constituted the principal remaining part, south of the line; and it has since been admitted as a slave state, without serious controversy. More recently, Iowa, north of the line, came in as a free state without controversy. Still later, Minnesota, north of the line, had a territorial organization without controversy. Texas principally south of the line, and west of Arkansas; though originally within the purchase from France, had, in 1819, been traded off to Spain, in our treaty for the acquisition of Florida. It had thus become a part of Mexico. Mexico revolutionized and became independent of Spain. American citizens began settling rapidly, with their slaves, in the southern part of Texas. Soon they revolutionized against Mexico, and established an independent government of their own, adopting a constitution, with slavery, strongly resembling the constitutions of our slave states. By still another rapid move, Texas, claiming a boundary much further West, than when we parted with her in 1819, was brought back to the United States, and admitted into the Union as a slave state. There then

was little or no settlement in the northern part of Texas, a considerable portion of which lay north of the Missouri line; and in the resolutions admitting her into the Union, the Missouri restriction was expressly extended westward across her territory. This was in 1845, only nine years ago.

Thus originated the Missouri Compromise; and thus has it been respected down to 1845. — And even four years later, in 1849, our distinguished Senator, in a public address, held the following language in relation to it:

"The Missouri Compromise had been in practical operation for about a quarter of a century, and had received the sanction and approbation of men of all parties in every section of the Union. It had allayed all sectional jealousies and irritations growing out of this vexed question, and harmonized and tranquillized the whole country. It has given to Henry Clay, as its prominent champion, the proud sobriquet of the "*Great Pacificator*," and by that title and for that service, his political friends had repeatedly appealed to the people to rally under his standard, as a presidential candidate, as the man who had exhibited the patriotism and the power to suppress, an unholy and treasonable agitation, and preserve the Union. He was not aware that any man or any party from any section of the Union, had ever urged as an objection to Mr. Clay, that he was the great champion of the Missouri Compromise. On the contrary, the effort was made by the opponents of Mr. Clay, to prove that he was not entitled to the exclusive merit of that great patriotic measure, and that the honor was equally due to others as well as to him, for securing its adoption — that it had its origin in the hearts of all patriotic men, who desired to preserve and

perpetuate the blessings of our glorious Union — an origin akin that of the Constitution of the United States, conceived in the same spirit of fraternal affection, and calculated to remove forever, the only danger, which seemed to threaten, at some distant day, to sever the social bond of union. All the evidences of public opinion at that day, seemed to indicate that this Compromise had been canonized in the hearts of the American people, as a sacred thing which no ruthless hand would ever be reckless enough to disturb."

I do not read this extract to involve Judge Douglas in an inconsistency — if he afterwards thought he had been wrong, it was right for him to change — I bring this forward merely to show the high estimate placed on the Missouri Compromise by all parties up to so late as the year 1849.

But, going back a little, in point of time, our war with Mexico broke out in 1846. When Congress was about adjourning that session, President Polk asked them to place two millions of dollars under his control, to be used by him in the recess, if found practicable and expedient, in negotiating a treaty of peace with Mexico, and acquiring some part of her territory. — A bill was duly got up, for the purpose, and was progressing swimmingly, in the House of Representatives, when a member by the name of David Wilmot, a democrat from Pennsylvania, moved as an amendment "Provided that in any territory thus acquired, there shall never be slavery."

This is the origin of the far-famed "Wilmot Proviso." It created a great flutter; but it stuck like wax, was voted into the bill, and the bill passed with it through the House. The Senate, however, adjourned without final action on it and so both

appropriation and proviso were lost, for the time. —The war continued, and at the next session, the President renewed his request for the appropriation, enlarging the amount, I think, to three million. Again came the proviso; and defeated the measure.—Congress adjourned again, and the war went on. In Dec. 1847, the new congress assembled. — I was in the lower House that term. —The "Wilmot Proviso" or the principle of it, was constantly coming up in some shape or other, and I think I may venture to say I voted for it at least forty times during the short term I was there. The Senate, however, held it in check, and it never became a law. In the spring of 1848 a treaty of peace was made with Mexico by which we obtained that portion of her country which now constitutes the territories of New Mexico and Utah, and the now state of California. By this treaty the Wilmot Proviso was defeated, as so far as it was intended to be a condition of the acquisition of territory. Its friends, however, were still determined to find some way to restrain slavery from getting into the new country. This new acquisition lay directly west of our old purchase from France, and extended west to the Pacific Ocean — and was so situated that if the Missouri line should be extended straight west, the new country would be divided by such extended line, leaving some north and some south of it. On Judge Douglas' motion a bill, or provision of a bill, passed the Senate to so extend the Missouri line. The Proviso men in the House, including myself, voted it down, because by implication, it gave up the southern part to slavery, while we were bent on having it *all* free.

In the fall of 1848 the gold mines were discovered in California. This attracted people to it with unprecedented rapidity, so that on, or soon after,

the meeting of the new congress in Dec., 1849, she already had a population of nearly a hundred thousand, had called a convention, formed a state constitution, excluding slavery, and was knocking for admission into the Union. —The Proviso men, of course, were for letting her in, but the Senate, always true to the other side, would not consent to her admission. And there California stood, kept *out* of the Union, because she would not let slavery *into* her borders. Under all the circumstances perhaps this was not wrong. There were other points of dispute, connected with the general question of slavery, which equally needed adjustment. The South clamored for a more efficient fugitive slave law. The North clamored for the abolition of a peculiar species of slave trade in the District of Columbia, in connection with which, in view from the windows of the capitol, a sort of negro-livery stable, where droves of negroes were collected, temporarily kept, and finally taken to Southern markets, precisely like droves of horses, had been openly maintained for fifty years. Utah and New Mexico needed territorial governments; and whether slavery should or should not be prohibited within them, was another question. The indefinite western boundary of Texas was to be settled. She was received a slave state; and consequently the farther west the slavery men could push her boundary, the more slave country they secured. And the farther east the slavery opponents could thrust the boundary back, the less slave ground was secured. Thus this was just as clearly a slavery question as any of the others.

These points all needed adjustment; and they were held up, perhaps wisely, to make them help to adjust one another. The Union, now, as in 1820, was thought to be in danger; and devotion to the

Union rightfully inclined men to yield somewhat, in points where nothing else could have so inclined them. A compromise was finally effected. The South got their new fugitive-slave law; and the North got California, (the far best part of our acquisition from Mexico,) as a free State. The South got a provision that New Mexico and Utah, *when admitted as States*, may come in *with* or *without* slavery as they may then choose; and the North got the slave-trade abolished in the District of Columbia. The North got the western boundary of Texas, thence further back eastward than the South desired; but, in turn, they gave Texas ten millions of dollars, with which to pay her old debts. This is the compromise of 1850.

Preceding the presidential election of 1852, each of the great political parties, democrats and whigs, met in convention and adopted resolutions endorsing the compromise of '50, as a "finality," a final settlement, so far as these parties could make it so, of all slavery agitation. Previous to this, in 1851, the Illinois Legislature had indorsed it.

During this long period of time Nebraska had remained substantially an uninhabited country, but now emigration to, and settlement within it began to take place. It is about one third as large as the present United States, and its importance, so long overlooked, begins to come into view. The restriction of slavery by the Missouri Compromise directly applies to it; in fact, was first made, and has since been maintained, expressly for it. In 1853, a bill to give it a territorial government passed the House of Representatives, and, in the hands of Judge Douglas, failed of passing the Senate only for want of time. This bill contained no repeal of the Missouri Compromise. Indeed, when it was assailed because it did not contain such re-

peal, Judge Douglas defended it in its existing form.

50 On January 4th, 1854, Judge Douglas introduces a new bill to give Nebraska territorial government. He accompanies this bill with a report, in which last, he expressly recommends that the Missouri Compromise shall neither be affirmed nor repealed. Before long the bill is so modified as to make two territories instead of one; calling the southern one Kansas.

Also, about a month after the introduction of the bill, on the judge's own motion, it is so amended as to declare the Missouri Compromise inoperative and void; and, substantially, that the people who go and settle there may establish slavery, or exclude it, as they may see fit. In this shape the bill passed both branches of congress, and became a law.

This is the *repeal* of the Missouri Compromise. The foregoing history may not be precisely accurate in every particular; but I am sure it is sufficiently so, for all the uses I shall attempt to make of it, and in it, we have before us, the chief material enabling us to correctly judge whether the repeal of the Missouri Compromise is right or wrong.

I think, and shall try to show, that it is wrong; wrong in its direct effect, letting slavery into Kansas and Nebraska — and wrong in its prospective principle, allowing it to spread to every other part of the wide world, where men can be found inclined to take it.

This *declared* indifference, but, as I must think, covert *real zeal* for the spread of slavery, I can not but hate. I hate it because of the monstrous injustice of slavery itself. I hate it because it deprives our republican example of its just influence in the world — enables the enemies of free institutions,

with plausibility, to taunt us as hypocrites — causes the real friends of freedom to doubt our sincerity, and especially because it forces so many really good men amongst ourselves into an open war with the very fundamental principles of civil liberty — criticizing the Declaration of Independence, and insisting that there is no right principle of action but *self-interest*.

Before proceeding, let me say that I think I have no prejudice against the Southern people. They are just what we would be in their situation. If slavery did not now exist amongst them, they would not introduce it. If it did now exist amongst us, we should not instantly give it up. — This I believe of the masses north and south. — Doubtless there are individuals on both sides, who would not hold slaves under any circumstances; and others who would gladly introduce slavery anew, if it were out of existence. We know that some southern men do free their slaves, go north, and become tip-top abolitionists; while some northern ones go south, and become most cruel slave-masters.

When southern people tell us they are no more responsible for the origin of slavery, than we; I acknowledge the fact. When it is said that the institution exists, and that it is very difficult to get rid of it, in any satisfactory way, I can understand and appreciate the saying. I surely will not blame them for not doing what I should not know how to do myself. If all earthly power were given me, I should not know what to do, as to the existing institution. My first impulse would be to free all the slaves, and send them to Liberia, — to their own native land. But a moment's reflection would convince me, that whatever of high hope, (as I think there is) there may be in this, in the long run, its sudden execution is impossible. If they were all

landed there in a day, they would all perish in the next ten days; and there are not surplus shipping and surplus money enough in the world to carry them there in many times ten days. What then? Free them all, and keep them among us as underlings? Is it quite certain that this betters their condition? I think I would not hold one in slavery, at any rate; yet the point is not clear enough to me to denounce people upon. What next? — Free them, and make them, politically and socially, our equals? My own feelings will not admit of this; and if mine would, we well know that those of the great mass of white people will not. Whether this feeling accords with justice and sound judgment, is not the sole question, if indeed, it is any part of it. A universal feeling, whether well or ill-founded, can not be safely disregarded. We can not, then, make them equals. It does seem to me that systems of gradual emancipation might be adopted; but for their tardiness in this, I will not undertake to judge our brethren of the south.

When they remind us of their constitutional rights, I acknowledge them, not grudgingly, but fully, and fairly; and I would give them any legislation for the reclaiming of their fugitives, which should not, in its stringency, be more likely to carry a free man into slavery, than our ordinary criminal laws are to hang an innocent one.

But all this, to my judgment, furnishes no more excuse for permitting slavery to go into our own free territory, than it would for reviving the African slave trade by law. The law which forbids the bringing of slaves *from* Africa; and that which has so long forbid the taking them *to* Nebraska, can hardly be distinguished on any moral principle; and the repeal of the former could find quite as plausible excuses as that of the latter.

The arguments by which the repeal of the Missouri Compromise is sought to be justified, are these:

First, that the Nebraska country needed a territorial government.

Second, that in various ways, the public had repudiated it, and demanded the repeal; and therefore should not now complain of it.

And lastly, that the repeal establishes a principle, which is intrinsically right.

I will attempt an answer to each of them in its turn.

First, then, if that country was in need of a territorial organization, could it not have had it as well *without as with the repeal?* Iowa and Minnesota, to both of which the Missouri restriction applied, had, without its repeal, each in succession, territorial organizations. And even, the year before, a bill for Nebraska itself, was within an ace of passing, without the repealing clause; and this in the hands of the same men who are now the champions of repeal. Why no necessity then for the repeal? But still later, when this very bill was first brought in, it contained no repeal. But, say they, because the public had demanded, or rather commanded the repeal, the repeal was to accompany the organization, whenever that should occur.

Now, I deny that the public ever demanded any such thing — ever repudiated the Missouri Compromise — ever commanded its repeal. I deny it, and call for the proof. It is not contended, I believe, that any such command has ever been given in express terms. It is only said that it was done in *principle.* The support of the Wilmot Proviso, is the first fact mentioned, to prove that the Missouri restriction was repudiated in *principle*, and the second is, the refusal to extend the Missouri line over

the country acquired from Mexico. These are near enough alike to be treated together. The one was to exclude the chances of slavery from the *whole* new acquisition by the lump; and the other was to reject a division of it, by which one *half* was to be given up to those chances. Now whether this was a repudiation of the Missouri line, in *principle*, depends upon whether the Missouri law contained any *principle* requiring the line to be extended over the country acquired from Mexico. I contend it did not. I insist that it contained no general principle, but that it was, in every sense, specific. That its terms limit it to the country purchased from France, is undenied and undeniable. It could have no principle beyond the intention of those who made it. They did not intend to extend the line to country which they did not own. If they intended to extend it, in the event of acquiring additional territory, why did they not say so? It was just as easy to say, that "in all the country west of the Mississippi, which we now own, *or may hereafter acquire* there shall never be slavery," as to say what they did say; and they would have said it if they had meant it. An intention to extend the law is not only not mentioned in the law, but is not mentioned in any contemporaneous history. Both the law itself, and the history of the times are a blank as to any *principle* of extension; and by neither the known rules of construing statutes and contracts, nor by common sense, can any such *principle* be inferred.

Another fact showing the *specific* character of the Missouri law — showing that it intended no more than it expressed — showing that the line was not intended as a universal dividing line between free and slave territory, present and prospective — north of which slavery could never go — is the fact

that by that very law, Missouri came in as a slave State, *north* of the line. If that law contained any prospective *principle*, the whole law must be looked to in order to ascertain what the *principle* was. And by this rule, the South could fairly contend that inasmuch as they got one slave state north of the line at the inception of the law, they have the right to have another given them *north* of it occasionally — now and then in the indefinite westward extension of the line. This demonstrates the absurdity of attempting to deduce a prospective *principle* from the Missouri Compromise line.

When we voted for the Wilmot Proviso, we were voting to keep slavery *out* of the whole Mexican acquisition; and little did we think we were thereby voting, to let it *into* Nebraska, laying several hundred miles distant. When we voted against extending the Missouri line, little did we think we were voting to destroy the old line, then of near thirty years' standing. To argue that we thus repudiated the Missouri Compromise is no less absurd than it would be to argue that because we have, so far, forborne to acquire Cuba, we have thereby, *in principle*, repudiated our former acquisitions, and determined to throw them out of the Union! No less absurd than it would be to say that because I may have refused to build an addition to my house, I thereby have decided to destroy the existing house! And if I catch you setting fire to my house, you will turn upon me and say I INSTRUCTED you to do it! The most conclusive argument, however, that, while voting for the Wilmot Proviso, and while voting against the EXTENSION of the Missouri line, we never thought of disturbing the original Missouri Compromise, is found in the fact that there was then, and still is, an unorganized tract of fine country, nearly as large as the State of Mis-

souri, lying immediately west of Arkansas, and south of the Missouri Compromise line; and that we never attempted to prohibit slavery as to it. I wish particular attention to this. It adjoins the original Missouri Compromise line, by its northern boundary; and consequently is part of the country, into which, by implication, slavery was permitted to go, by that compromise. There it has lain open ever since, and there it still lies. And yet no effort has been made at any time to wrest it from the South. In all our struggles to prohibit slavery within our Mexican acquisitions, we never so much as lifted a finger to prohibit it, as to this tract. Is not this entirely conclusive that at all times, we have held the Missouri Compromise as a sacred thing; even when against ourselves, as well as when for us?

Senator Douglas sometimes says the Missouri line itself was, *in principle*, only an extension of the line of the ordinance of '87 — that is to say, an extension of the Ohio River. I think this is weak enough on its face. I will remark, however, that, as a glance at the map will show, the Missouri line is a long way farther south than the Ohio; and that if our Senator, in proposing his extension, had stuck to the *principle* of jogging southward, perhaps it might not have been voted down so readily.

But next it is said that the compromises of '50 and the ratification of them by both political parties, in '52, established a *new principle*, which required the repeal of the Missouri Compromise. This again I deny. I deny it, and demand the proof. I have already stated fully what the compromises of '50 are. The particular part of those measures, for which the virtual repeal of the Missouri Compromise is sought to be inferred (for it is admitted they contain nothing about it, in express terms) is

the provision in the Utah and New Mexico laws, which permits them when they seek admission into the Union as States, to come in with or without slavery as they shall then see fit. Now I insist this provision was made for Utah and New Mexico, and for no other place whatever. It had no more direct reference to Nebraska than it had to the territories of the moon. But, say they, it had reference to Nebraska, *in principle.* Let us see. The North consented to this provision, not because they considered it right in itself; but because they were compensated — paid for it. — They, at the same time, got California into the Union as a free State. This was far the best part of all they had struggled for by the Wilmot Proviso. They also got the area of slavery somewhat narrowed in the settlement of the boundary of Texas. Also, they got the slave trade abolished in the District of Columbia. For all these desirable objects the North could afford to yield something; and they did yield to the South the Utah and New Mexico provision. I do not mean that the whole North, or even a majority, yielded, when the law passed; but enough yielded, when added to the vote of the South, to carry the measure. Now can it be pretended that the *principle* of this arrangement requires us to permit the same provision to be applied to Nebraska, *without any equivalent at all?* Give us another free State; press the boundary of Texas still further back; give us another step toward the destruction of slavery in the District, and you present us a similar case. But ask us not to repeat, for nothing, what you paid for in the first instance. If you wish the thing again, pay again. That is the *principle* of the compromises of '50, if indeed they had any principles beyond their specific terms — it was the system of equivalents.

Again, if Congress, at that time, intended that all future territories should, when admitted as States, come in with or without slavery, at their own option, why did it not say so? With such an universal provision, all know the bills could not have passed. Did they, then — could they — establish a *principle* contrary to their own intention? Still further, if they intended to establish the principle that wherever Congress had control, it should be left to the people to do as they thought fit with slavery, why did they not authorize the people of the District of Columbia at their adoption to abolish slavery within these limits? I personally know that this has not been left undone, because it was unthought of. It was frequently spoken of by members of Congress and by citizens of Washington six years ago; and I heard no one express a doubt that a system of gradual emancipation, with compensation to owners, would meet the approbation of a large majority of the white people of the District. But without the action of Congress they could say nothing; and Congress said "no." In the measures of 1850, Congress had the subject of slavery in the District expressly on hand. If they were then establishing the *principle* of allowing the people to do as they please with slavery, why did they not apply the *principle* to that people?

Again, it is claimed that by the Resolutions of the Illinois Legislature, passed in 1851, the repeal of the Missouri Compromise was demanded. This I deny also. Whatever may be worked out by a criticism of the language of those resolutions, the people have never understood them as being any more than an endorsement of the compromises of 1850, and a release of our Senators from voting for the Wilmot Proviso. The whole people are living witnesses, that this only, was their view. Finally,

it is asked "if we did not mean to apply the Utah and New Mexico provision, to all future territories, what did we mean, when we, in 1852, endorsed the compromise of '50?"

For myself, I can answer this question most easily. I meant not to ask a repeal, or modification of the fugitive slave law. I meant not to ask for the abolition of slavery in the District of Columbia. I meant not to resist the admission of Utah and New Mexico, even should they ask to come in as slave States. I meant nothing about additional territories, because, as I understood, we then had no territory whose character as to slavery was not already settled. As to Nebraska, I regarded its character as being fixed, by the Missouri Compromise, for thirty years — as unalterably fixed as that of my own home in Illinois. As to new acquisitions I said "sufficient unto the day is the evil thereof."— When we make new acquisitions, we will, as heretofore, try to manage them somehow. That is my answer. That is what I meant and said; and I appeal to the people to say, each for himself, whether that was not also the universal meaning of the free States.

And now, in turn, let me ask a few questions. If by any, or all these matters, the repeal of the Missouri Compromise was commanded, why was not the command sooner obeyed? Why was the repeal omitted in the Nebraska bill of 1853? —Why was it omitted in the original bill of 1854? Why, in the accompanying report, was such a repeal characterized as a *departure* from the course pursued in 1850? and its continued omission recommended?

I am aware Judge Douglas now argues that the subsequent express repeal is no substantial alteration of the bill. This argument seems wonderful to me. It is as if one should argue that white and

black are not different. He admits, however, that there is a literal change in the bill; and that he made the change in deference to other Senators, who would not support the bill without. This proves that those other Senators thought the change a substantial one; and that the Judge thought their opinions worth deferring to. His own opinions, therefore, seem not to rest on a very firm basis even in his own mind — and I suppose the world believes, and will continue to believe, that precisely on the substance of that change this whole agitation has arisen.

I conclude then, that the public never demanded the repeal of the Missouri Compromise.

I now come to consider whether the repeal, with its avowed principle, is intrinsically right. I insist that it is not. Take the particular case. A controversy had arisen between the advocates and opponents of slavery, in relation to its establishment within the country we had purchased of France. The southern, and then best part of the purchase, was already in as a slave State. — The controversy was settled by also letting Missouri in as a slave State; but with the agreement that within all the remaining part of the purchase, north of a certain line, there should never be slavery. As to what was to be done with the remaining part south of the line, nothing was said; but perhaps the fair implication was, that it should come in with slavery if it should so choose. The southern part, except a portion heretofore mentioned, afterwards did come in with slavery, as the State of Arkansas. All these many years since 1820, the Northern part had remained a wilderness. At length settlements began in it also. In due course Iowa came in as a free State, and Minnesota was given a territorial government, without removing the slavery re-

striction. Finally the sole remaining part, north of the line, Kansas and Nebraska, was to be organized; and it is proposed, and carried, to blot out the old dividing line of thirty-four years' standing, and to open the whole of that country to the introduction of slavery. Now, this, to my mind, is manifestly unjust. After an angry and dangerous controversy, the parties made friends by dividing the bone of contention. The one party first appropriates her own share, beyond all power to be disturbed in the possession of it; and then seizes the share of the other party. It is as if two starving men had divided their only loaf; the one had hastily swallowed his half, and then grabbed the other half just as he was putting it to his mouth.

Equal justice to the South, it is said, requires us to consent to the extending of slavery to new countries. That is to say, inasmuch as you do not object to my taking my hog to Nebraska, therefore I must not object to you taking your slave. Now, I admit this is perfectly logical, if there is no difference between hogs and negroes. But while you thus require me to deny the humanity of the negro, I wish to ask whether you of the south yourselves, have ever been willing to do as much? It is kindly provided that of all those who come into the world, only a small percentage are natural tyrants. That percentage is no larger in the slave States than in the free. The great majority, south as well as north, have human sympathies, of which they can no more divest themselves than they can of their sensibility to physical pain. These sympathies in the bosoms of the southern people, manifest in many ways their sense of the wrong of slavery, and their consciousness that, after all, there is humanity in the negro. If they deny this, let me address them a few plain questions. In 1820 you joined the north,

almost unanimously, in declaring the African slave trade piracy, and in annexing to it the punishment of death. Why did you do this? If you did not feel that it was wrong, why did you join in providing that men should be hung for it? The practice was no more than bringing wild negroes from Africa, to sell to such as would buy them. But you never thought of hanging men for catching and selling wild horses, wild buffaloes or wild bears.

Again, you have amongst you, a sneaking individual, of the class of native tyrants, known as the "SLAVE-DEALER." He watches your necessities, and crawls up to buy your slave, at a speculating price. If you cannot help it, you sell to him; but if you can help it, you drive him from your door. You despise him utterly. You do not recognize him as a friend, or even as an honest man. Your children must not play with his; they may rollick freely with the little negroes, but not with the "slave-dealer's" children. If you are obliged to deal with him, you try to get through the job without so much as touching him. It is common with you to join hands with the men you meet; but with the slave-dealer you avoid the ceremony — instinctively shrinking from the snaky contact. If he grows rich and retires from business, you still remember him, and still keep up the ban of non-intercourse upon him and his family. Now why is this? You do not so treat the man who deals in corn, cattle or tobacco.

And yet again, there are in the United States and territories, including the District of Columbia, 433,643 free blacks. At $500 per head they are worth over two hundred millions of dollars. How comes this vast amount of property to be running about without owners? We do not see free horses

or free cattle running at large. How is this? All these free blacks are the descendants of slaves, or have been slaves themselves, and they would be slaves now, but for SOMETHING which has operated on their white owners, inducing them, at vast pecuniary sacrifices, to liberate them. What is that SOMETHING? Is there any mistaking it? In all these cases it is your sense of justice, and human sympathy, continually telling you, that the poor negro has some natural right to himself — that those who deny it, and make mere merchandise of him, deserve kickings, contempt and death.

And now, why will you ask us to deny the humanity of the slave? and estimate him only as the equal of the hog? Why ask us to do what you will not do yourselves? Why ask us to do for *nothing*, what two hundred million of dollars could not induce you to do?

But one great argument in the support of the repeal of the Missouri Compromise, is still to come. That argument is "the sacred right of self government." It seems our distinguished Senator has found great difficulty in getting his antagonists, even in the Senate, to meet him fairly on this argument. Some poet has said:

"Fools rush in where angels fear to tread."

At the hazard of being thought one of the fools of this quotation, I meet that argument — I rush in, I take that bull by the horns.

I trust I understand, and truly estimate the right of self-government. My faith in the proposition that each man should do precisely as he pleases with all which is exclusively his own, lies at the foundation of the sense of justice there is in me. I extend the principles to communities of men, as well as to individuals. I so extend it, because it is

politically wise, as well as naturally just; politically wise in saving us from broils about matters which do not concern us. — Here or at Washington, I would not trouble myself with the oyster laws of Virginia, or the cranberry laws of Indiana.

The doctrine of self-government is right — absolutely and eternally right — but it has no just application, as here attempted. Or perhaps I should rather say that whether it has such application depends upon whether a negro is *not* or *is* a man. If he is *not* a man, why in that case, he who *is* a man may, as a matter of self-government, do just as he pleases with him. But if the negro *is* a man, is it not to that extent a total destruction of self-government, to say that he too shall not govern *himself*? When the white man governs himself that is self-government; but when he governs himself, and also governs *another* man, that is *more* than self-government — that is despotism. If the negro is a *man*, why then my ancient faith teaches me that "all men are created equal"; and that there can be no moral right in connection with one man's making a slave of another.

Judge Douglas frequently, with bitter irony and sarcasm, paraphrases our argument by saying: "The white people of Nebraska are good enough to govern themselves, *but they are not good enough to govern a few miserable negroes!*"

Well I doubt not that the people of Nebraska are, and will continue to be as good as the average of people elsewhere. I do not say the contrary. What I do say is, that no man is good enough to govern another man, *without that other's consent*. I say this is the leading principle — the sheet anchor of American republicanism. Our Declaration of Independence says:

"We hold these truths to be self evident: That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, DERIVING THEIR JUST POWERS FROM THE CONSENT OF THE GOVERNED."

I have quoted so much at this time merely to show that according to our ancient faith, the just powers of governments are derived from the consent of the governed. Now the relation of masters and slaves is PROTANTO, a total violation of this principle. That master not only governs the slave without his consent; but he governs him by a set of rules altogether different from those which he prescribes for himself. Allow ALL the governed an equal voice in the government, and that, and that only, is self-government.

Let it not be said I am contending for the establishment of political and social equality between the whites and blacks. I have already said the contrary. I am not now combating the argument of NECESSITY, arising from the fact that the blacks are already amongst us; but I am combating what is set up as MORAL argument for allowing them to be taken where they have never yet been — arguing against the EXTENSION of a bad thing, which where it already exists we must of necessity, manage as we best can.

In support of his application of the doctrine of self-government, Senator Douglas has sought to bring to his aid the opinions and examples of our revolutionary fathers. I am glad he has done this. I love the sentiments of those old-time men; and shall be most happy to abide by their opinions. He shows us that when it was in contemplation for the colonies to break off from Great Britain, and set

up a new government for themselves, several of the states instructed their delegates to go for the measure, PROVIDED EACH STATE SHOULD BE ALLOWED TO REGULATE ITS DOMESTIC CONCERNS IN ITS OWN WAY. I do not quote; but this in substance. This was right. I see nothing objectionable in it. I also think it probable that it had some reference to the existence of slavery amongst them. I will not deny that it had. But had it, in any reference, to the carrying of slavery into NEW COUNTRIES? That is the question; and we will let the fathers themselves answer it.

This same generation of men, and mostly the same individuals of the generation, who declared this principle—who declared independence—who fought the war of the revolution through — who afterwards made the constitution under which we still live — these same men passed the ordinance of '87, declaring that slavery should never go to the north-west territory. I have no doubt Judge Douglas thinks they were very inconsistent in this. It is a question of discrimination between them and him. But there is not an inch of ground left for his claiming that their opinions—their example—their authority—are on his side in this controversy.

But you say this question should be left to the people of Nebraska, because they are more particularly interested. If this be the rule, you must leave it to each individual to say for himself whether he will have slaves. What better moral right have thirty-one citizens of Nebraska to say, that the thirty-second shall not hold slaves, than the people of the thirty-one States have to say that slavery shall not go into the thirty-second State at all?

But if it is a sacred right for the people of Nebraska to take and hold slaves there, it is equally

their sacred right to buy them where they can buy them cheapest; and that undoubtedly will be on the coast of Africa; provided you will consent to not hang them for going there to buy them. You must remove this restriction too, from the sacred right of self-government. I am aware you say that taking slaves from the States to Nebraska, does not make slaves of freemen; but the African slave-trader can say just as much. He does not catch free negroes and bring them here. He finds them already slaves in the hands of their black captors, and he honestly buys them at the rate of about a red cotton handkerchief a head. This is very cheap, and it is a great abridgment of the sacred right of self-government to hang men for engaging in this profitable trade!

Another important objection to this application of the right of self-government, is that it enables the first FEW, to deprive the succeeding MANY, of a free exercise of the right of self-government. The first few may get slavery IN, and the subsequent many cannot easily get it OUT. How common is the remark now in the slave States — "If we were only clear of our slaves, how much better it would be for us." They are actually deprived of the privilege of governing themselves as they would, by the action of a very few, in the beginning. The same thing was true of the whole nation at the time our constitution was formed.

Whether slavery shall go into Nebraska, or other new territories, is not a matter of exclusive concern to the people who may go there. The whole nation is interested that the best use shall be made of these territories. We want them for the homes of free white people. This they cannot be, to any considerable extent, if slavery shall be planted within them. Slave States are places for poor white people

to remove FROM; not to remove TO. New free States are the places for poor people to go to and better their condition. For this use, the nation needs these territories.

Still further; there are constitutional relations between the slave and free States, which are degrading to the latter. We are under legal obligations to catch and return their runaway slaves to them — a sort of dirty, disagreeable job which I believe, as a general rule, the slave-holders will not perform for one another. Then again, in the control of the government — the management of the partnership affairs — they have greatly the advantage of us. By the constitution, each State has two Senators, each has a number of Representatives, in proportion to the number of its people — and each has a number of presidential electors, equal to the whole number of its Senators and Representatives together. But in ascertaining the number of the people, for this purpose, five slaves are counted as being equal to three whites. The slaves do not vote; they are only counted and so used as to swell the influence of the white people's votes. The practical effect of this is more aptly shown by a comparison of the States of South Carolina and Maine. South Carolina has six representatives, and so has Maine; South Carolina has eight presidential electors, and so has Maine. This is precise equality so far; and, of course they are equal in Senators, each having two. Thus in the control of the government, the two States are equals precisely. But how are they in the number of their white people? Maine has 581,813 — while South Carolina has 274,567. Maine has twice as many as South Carolina, and 32,679 over. —Thus each white man in South Carolina is more than the double of any man in Maine. This is all be-

cause South Carolina, besides her free people, has 384,984 slaves. The South Carolinian has precisely the same advantage over the white man in every other free State, as well as in Maine. He is more than the double of any one of us in this crowd. The same advantage, but not to the same extent, is held by all the citizens of the slave States, over those of the free; and it is an absolute truth, without an exception, that there is no voter in any slave State, but who has more legal power in the government, than any voter in any free State. There is no instance of exact equality; and the disadvantage is against us the whole chapter through. This principle, in the aggregate, gives the slave States in the present Congress, twenty additional representatives — being seven more than the whole majority by which they passed the Nebraska bill.

Now all this is manifestly unfair; yet I do not mention it to complain of it, in so far as it is already settled. It is in the constitution; and I do not, for that cause, or any other cause, propose to destroy, or alter, or disregard the constitution. I stand to it, fairly, fully, and firmly.

But when I am told I must leave it altogether to OTHER PEOPLE to say whether new partners are to be bred up and brought into the firm, on the same degrading terms against me, I respectfully demur. I insist, that whether I shall be a whole man, or only the half of one, in comparison with others, is a question in which I am somewhat concerned; and one which no other man can have a sacred right of deciding for me. If I am wrong in this — if it really be a sacred right of self-government, in the man who shall go to Nebraska, to decide whether he will be the EQUAL of me or the DOUBLE of me, then, after he shall have exercised that right, and thereby shall have reduced me to a still smaller

fraction of a man than I already am, I should like for some gentleman, deeply skilled in the mysteries of sacred rights, to provide himself with a microscope, and peep about, and find out, if he can, what has become of *my* sacred rights! —They will surely be too small for detection with the naked eye.

Finally, I insist that if there is ANY THING which it is the duty of the WHOLE PEOPLE to never entrust to any hands but their own, that thing is the preservation and perpetuity of their own liberties and institutions. And if they shall think, as I do, that the extension of slavery endangers them, more than any, or all other causes, how recreant to themselves, if they submit the question, and with it, the fate of their country, to a mere handful of men, bent only on temporary self-interest. If this question of slavery extension were an insignificant one — one having no power to do harm — it might be shuffled aside in this way. But being, as it is, the great Behemoth of danger, shall the strong gripe of the nation be loosened upon him, to entrust him to the hands of such feeble keepers?

I have done with this mighty argument, of self-government. Go, sacred thing! Go in peace.

But Nebraska is urged as a great Union-saving measure. Well, I too, go for saving the Union. Much as I hate slavery, I would consent to the extension of it rather than see the Union dissolved, just as I would consent to any GREAT evil, to avoid a GREATER one. But when I go to Union saving, I must believe, at least, that the means I employ have some adaptation to the end. To my mind, Nebraska has no such adaptation.

"It hath no relish of salvation in it."

It is an aggravation, rather, of the only one thing which ever endangers the Union. When it came

upon us, all was peace and quiet. The nation was looking to the forming of new bonds of Union; and a long course of peace and prosperity seemed to lie before us. In the whole range of possibility, there scarcely appears to me to have been any thing, out of which the slavery agitation could have been revived, except the very project of repealing the Missouri Compromise. Every inch of territory we owned, already had a definite settlement of the slavery question, and by which all parties were pledged to abide. Indeed, there was no uninhabited country on the continent, which we could acquire; if we except some extreme northern regions, which are wholly out of the question. In this state of case, the genius of Discord himself, could scarcely have invented a way of again setting us by the ears, but by turning back and destroying the peace measures of the past. The councils of that genius seem to have prevailed, the Missouri Compromise was repealed; and here we are, in the midst of a new slavery agitation, such, I think, as we have never seen before. Who is responsible for this? Is it those who resist the measure; or those who, causelessly, brought it forward, and pressed it through, having reason to know, and, in fact, knowing it must and would be so resisted? It could not but be expected by its author, that it would be looked upon as a measure for the extension of slavery, aggravated by a gross breach of faith. Argue as you will, and long as you will, this is the naked FRONT and ASPECT, of the measure. And in this aspect, it could not but produce agitation. Slavery is founded in the selfishness of man's nature — opposition to it, in his love of justice. These principles are an eternal antagonism; and when brought into collision so fiercely, as slavery extension brings them, shocks, and

throes, and convulsions must ceaselessly follow. Repeal the Missouri compromise — repeal all compromises — repeal the declaration of independence — repeal all past history, you still can not repeal human nature. It still will be the abundance of man's heart, that slavery extension is wrong; and out of the abundance of his heart, his mouth will continue to speak.

The structure, too, of the Nebraska bill is very peculiar. The people are to decide the question of slavery for themsleves; but WHEN they are to decide, or HOW they are to decide; or whether, when the question is once decided, it is to remain so, or is to be subject to an indefinite succession of new trials, the law does not say. Is it to be decided by the first dozen settlers who arrive there? or is to await the arrival of a hundred? Is it to be decided by a vote of the people? or a vote of the legislature? or, indeed, by a vote of any sort? To these questions, the law gives no answer. There is a mystery about this; for when a member proposed to give the legislature express authority to exclude slavery, it was hooted down by the friends of the bill. This fact is worth remembering. Some Yankees, in the east, are sending emigrants to Nebraska to exclude slavery from it; and, so far as I can judge, they expect the question to be decided by voting, in some way or other. But the Missourians are awake too. They are within a stone's throw of the contested ground. They hold meetings, and pass resolutions, in which not the slightest allusion to voting is made. They resolve that slavery already exists in the territory; that more shall go there; that they, remaining in Missouri, will protect it; and that abolitionists shall be hung, or driven away. Through all this, bowie-knives and six-shooters are seen plainly enough; but never a glimpse of the ballot-box. And, really,

what is to be the result of this? Each party WITHIN, having numerous and determined backers WITHOUT, is it not probable that the contest will come to blows, and bloodshed? Could there be a more apt invention to bring about collision and violence, on the slavery question, than this Nebraska project is? I do not charge, or believe, that such was intended by Congress; but if they had literally formed a ring, and placed champions within it to fight out the controversy, the fight could be no more likely to come off, than it is. And if this fight should begin, is it likely to take a very peaceful, Union-saving turn? Will not the first drop of blood so shed, be the real knell of the Union?

The Missouri Compromise ought to be restored. For the sake of the Union, it ought to be restored. We ought to elect a House of Representatives which will vote its restoration. If by any means, we omit to do this, what follows! — Slavery may or may not be established in Nebraska. But whether it be or not, we shall have repudiated — discarded from the councils of the Nation — the SPIRIT OF COMPROMISE; for who after this will ever trust in a national compromise? The spirit of mutual concession — that spirit which first gave us the constitution, and which has thrice saved the Union — we shall have strangled and cast from us forever. And what shall we have in lieu of it? The South flushed with triumph and tempted to excesses; the North, betrayed, as they believe, brooding on wrong and burning for revenge. One side will provoke; the other resent. The one will taunt, the other defy; one aggresses, the other retaliates. Already a few in the North, defy all constitutional restraints, resist the execution of the fugitive slave law, and even menace the institution of slavery in the states where it exists.

Already a few in the South, claim the constitutional right to take and to hold slaves in the free states – demand the revival of the slave trade: and demand a treaty with Great Britain by which fugitive slaves may be reclaimed from Canada. As yet they are but few on either side. It is a grave question for the lovers of the Union, whether the final destruction of the Missouri Compromise, and with it the spirit of all compromise, will or will not embolden and embitter each of these, and fatally increase the numbers of both.

But restore the compromise, and what then? We thereby restore the national faith, the national confidence, the national feeling of brotherhood. We thereby reinstate the spirit of concession and compromise – that spirit which has never failed us in past perils, and which may be safely trusted for all the future. The south ought to join in doing this. The peace of the nation is as dear to them as to us. In memories of the past and hopes of the future, they share as largely as we. It would be on their part a great act – great in its spirit, and great in its effect. It would be worth to the nation a hundred years' purchase of peace and prosperity. And what of sacrifice would they make? They only surrender to us, what they gave us for a consideration long, long ago; what they have not now asked for, struggled or cared for; what has been thrust upon them, not less to their own astonishment than to ours.

But it is said we cannot restore it; that though we elect every member of the lower house, the Senate is still against us. It is quite true, that of the Senators who passed the Nebraska bill, a majority of the whole Senate will retain their seats in spite of the elections of this and the next year. But if at these elections, their several constituencies shall

clearly express their will against Nebraska, will these Senators disregard their will? Will they neither obey, nor make room for those who will?

But even if we fail to technically restore the compromise, it is still a great point to carry a popular vote in favor of the restoration. The moral weight of such a vote can not be estimated too highly. The authors of Nebraska are not at all satisfied with the destruction of the compromise — an endorsement of this PRINCIPLE they proclaim to be the great object. With them, Nebraska alone is a small matter — to establish a principle, for FUTURE USE, is what they particularly desire.

That future use is to be the planting of slavery wherever in the wide world, local and unorganized opposition can not prevent it. Now if you wish to give them this endorsement — if you wish to establish this principle — do so. I shall regret it; but it is your right. On the contrary if you are opposed to the principle — intend to give it no such endorsement — let no wheedling, no sophistry, divert you from throwing a direct vote against it.

Some men, mostly whigs, who condemn the repeal of the Missouri Compromise, nevertheless hesitate to go for its restoration, lest they be thrown in company with the abolitionists. Will they allow me as an old whig to tell them good humoredly, that I think this is very silly? Stand with anybody that stands RIGHT. Stand with him while he is right and PART with him when he goes wrong. Stand WITH the abolitionist in restoring the Missouri Compromise; and stand AGAINST him when he attempts the repeal of the fugitive slave law. In the latter case you stand with the southern disunionist. What of that? you are still right. In both cases you are right. In both cases you expose the dangerous extremes. In both you stand on middle

ground and hold the ship level and steady. In both you are national and nothing less than national. This is the good old whig ground. To desert such ground, because of any company, is to be less than a whig — less than a man — less than an American.

I particularly object to the NEW position which the avowed principle of this Nebraska law gives to slavery in the body politic. I object to it because it assumes that there can be MORAL RIGHT in the enslaving of one man by another. I object to it as a dangerous dalliance for a few people — a sad evidence that, feeling prosperity, we forget right — that liberty, as a principle, we have ceased to revere. I object to it because the fathers of the republic eschewed, and rejected it. The argument of "Necessity" was the only argument they ever admitted in favor of slavery; and so far, and so far only as it carried them, did they ever go. They found the institution existing among us, which they could not help; and they cast blame upon the British King for having permitted its introduction. BEFORE the constitution, they prohibited its introduction into the northwestern Territory — the only country we owned, then free from it. AT the framing and adoption of the constitution, they forbore to so much as mention the word "slave" or "slavery" in the whole instrument. In the provision for the recovery of fugitives, the slave is spoken of as a "PERSON HELD TO SERVICE OR LABOR." In that prohibiting the abolition of the African slave trade for twenty years, that trade is spoken of as "The migration or importation of such persons as any of the States NOW EXISTING, shall think proper to admit," &c. These are the only provisions alluding to slavery. Thus, the thing is hid away, in the constitution, just as an afflicted man hides away a wen or a cancer, which he dares not cut out

at once, lest he bleed to death; with the promise, nevertheless, that the cutting may begin at the end of a given time. — Less than this our fathers COULD not do; and NOW they WOULD not do. Necessity drove them so far, and further, they would not go. But this is not all. The earlier Congress, under the constitution, took the same view of slavery. They hedged and hemmed it in to the narrowest limits of necessity.

In 1794, they prohibited an out-going slave trade — that is, the taking of slaves FROM the United States to sell.

In 1798, they prohibited the bringing of slaves from Africa INTO the Mississippi Territory, this territory then comprising what are now the States of Mississippi and Alabama. This was TEN YEARS before they had the authority to do the same thing as to the States existing at the adoption of the constitution.

In 1800 they prohibited AMERICAN CITIZENS from trading in slaves between foreign countries — as, for instance, from Africa to Brazil.

In 1803 they passed a law in aid of one or two State laws, in restraint of the internal slave trade.

In 1807, in apparent hot haste, they passed the law, nearly a year in advance, to take effect the first day of 1808 — the very first day the constitution would permit — prohibiting the African slave trade by heavy pecuniary and corporal penalties.

In 1820, finding these provisions ineffectual, they declared the trade piracy, and annexed to it, the extreme penalty of death. While all this was passing in the general government, five or six of the original slave States had adopted systems of gradual emancipation; by which the institution was rapidly becoming extinct within these limits.

Thus we see, the plain unmistakable spirit of

that age, towards slavery, was hostility to the PRINCIPLE, and toleration, ONLY BY NECESSITY.

But NOW it is to be transformed into a "sacred right." Nebraska brings it forth, places it on the high road to extension and perpetuity; and, with a pat on its back, says to it, "Go, and God speed you." Henceforth it is to be the chief jewel of the nation — the very figurehead of the ship of State. Little by little, but steadily as man's march to the grave, we have been giving up the OLD for the NEW faith. Near eighty years ago we began by declaring that all men are created equal; but now from that beginning we have run down to the other declaration, that for SOME men to enslave OTHERS is a "sacred right of self-government." These principles can not stand together. They are as opposite as God and mammon; and whoever holds to the one, must despise the other. When Pettit, in connection with his support of the Nebraska bill, called the Declaration of Independence "a self-evident lie," he only did what consistency and candor require all other Nebraska men to do. Of the forty odd Nebraska Senators who sat present and heard him, no one rebuked him. Nor am I apprized that any Nebraska newspaper, or any Nebraska orator, in the whole nation, has ever yet rebuked him. If this had been said among Marion's men, Southerners though they were, what would have become of the man who said it? If this had been said to the men who captured André, the man who said it, would probably have been hung sooner than André was. If it had been said in old Independence Hall, seventy-eight years ago, the very door-keeper would have throttled the man, and thrust him into the street.

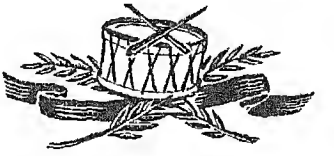
Let no one be deceived. The spirit of seventy-six and the spirit of Nebraska, are utter antagonisms;

and the former is being rapidly displaced by the latter.

Fellow-countrymen — Americans south, as well as north, shall we make no effort to arrest this? Already the liberal party throughout the world, express the apprehension "that the one retrograde institution in America, is undermining the principles of progress, and fatally violating the noblest political system the world ever saw." This is not the taunt of enemies, but the warning of friends. Is it quite safe to disregard it — to despise it? Is there no danger to liberty itself, in discarding the earliest practice, and first precept of our ancient faith? In our greedy chase to make profit of the negro, let us beware, lest we "cancel and tear to pieces" even the white man's charter of freedom.

Our republican robe is soiled, and trailed in the dust. Let us re-purify it. Let us turn and wash it white, in the spirit, if not the blood, of the Revolution. Let us turn slavery from its claims of "moral right" back upon its existing legal rights, and its arguments of "necessity." — Let us return it to the position our fathers gave it; and there let it rest in peace. Let us re-adopt the Declaration of Independence, and with it, the practices, and policy, which harmonize with it. Let north and south — let all Americans — let all lovers of liberty everywhere — join in the great and good work. If we do this, we shall not only have saved the Union; but we shall have so saved it, as to make, and to keep it, forever worthy of the saving. We shall have so saved it, that the succeeding millions of free happy people, the world over, shall rise up, and call us blessed, to the latest generations.

THE DRED SCOTT DECISION: SPEECH AT SPRINGFIELD, ILLINOIS JUNE 26, 1857



Dred Scott was a slave taken to a free territory, held there in slavery, and returned to a slave state by his master. In ruling that Dred Scott remained a slave, the Supreme Court said that Negroes, not being citizens, could not sue in Federal courts; nor could Congress prohibit slavery in a territory.

FELLOW-CITIZENS:

I AM here to-night, partly by the invitation of some of you, and partly by my own inclination. Two weeks ago Judge Douglas spoke here on the several subjects of Kansas, the Dred Scott decision, and Utah. I listened to the speech at the time, and have read the report of it since. It was intended to controvert opinions which I think just, and to assail (politically, not personally,) those men who, in common with me, entertain those opinions. For this reason I wished then, and still wish, to make some answer to it, which I now take the opportunity of doing.

I begin with Utah. If it prove to be true, as is probable, that the people of Utah are in open rebellion to the United States, then Judge Douglas is in favor of repealing their territorial organization,

and attaching them to the adjoining States for judicial purposes. I say, too, if they are in rebellion, they ought to be somehow coerced to obedience; and I am not now prepared to admit or deny that the Judge's mode of coercing them is not as good as any. The Republicans can fall in with it without taking back anything they have ever said. To be sure, it would be a considerable backing down by Judge Douglas from his much-vaunted doctrine of self-government for the territories; but this is only additional proof of what was very plain from the beginning, that that doctrine was a mere deceitful pretense for the benefit of slavery. Those who could not see that much in the Nebraska act itself, which forced Governors, and Secretaries, and Judges on the people of the territories, without their choice or consent, could not be made to see, though one should rise from the dead to testify.

But in all this, it is very plain the Judge evades the only question the Republicans have ever pressed upon the Democracy in regard to Utah. That question the Judge well knows to be this: "If the people of Utah shall peacefully form a State Constitution tolerating polygamy, will the Democracy admit them into the Union?" There is nothing in the United States Constitution or law against polygamy; and why is it not a part of the Judge's "sacred right of self-government" for that people to have it, or rather to *keep* it, if they choose? These questions, so far as I know, the Judge never answers. It might involve the Democracy to answer them either way, and they go unanswered.

As to Kansas. The substance of the Judge's speech on Kansas is an effort to put the free State men in the wrong for not voting at the election of delegates to the Constitutional Convention. He says: "*There is every reason to hope and believe that the law will*

be fairly interpreted and impartially executed, so as to insure to every bona fide inhabitant the free and quiet exercise of the elective franchise."

It appears extraordinary that Judge Douglas should make such a statement. He knows that, by the law, no one can vote who has not been registered; and he knows that the free State men place their refusal to vote on the ground that but few of them have been registered. It is *possible* this is not true, but Judge Douglas knows it is asserted to be true in letters, newspapers, and public speeches, and borne by every mail, and blown by every breeze to the eyes and ears of the world. He knows it is boldly declared that the people of many whole counties, and many whole neighborhoods in others, are left unregistered; yet, he does not venture to contradict the declaration, nor to point out how they *can* vote without being registered; but he just slips along, not seeming to know there is any such question of fact, and complacently declares: "There is every reason to hope and believe that the law will be fairly and impartially executed, so as to insure to every *bona fide* inhabitant the free and quiet exercise of the elective franchise."

I readily agree that if all had a chance to vote, they ought to have voted. If, on the contrary, as they allege, and Judge Douglas ventures not to particularly contradict, few only of the free State men had a chance to vote, they were perfectly right in staying from the polls in a body.

By the way since the Judge spoke, the Kansas election has come off. The Judge expressed his confidence that all the Democrats in Kansas would do their duty — including "free state Democrats" of course. The returns received here as yet are very incomplete; but so far as they go, they indicate that

only about one sixth of the registered voters, have really voted; and this too, when not more, perhaps, than one half of the rightful voters have been registered, thus showing the thing to have been altogether the most exquisite farce ever enacted. I am watching with considerable interest, to ascertain what figure "the free-state Democrats" cut in the concern. Of course they voted — all democrats do their duty — and of course they did not vote for slave-state candidates. We soon shall know how many delegates *they* elected, how many candidates they had, pledged for a free state; and how many votes were cast for them.

Allow me to barely whisper my suspicion that there were no such things in Kansas as "free state Democrats" — that they were altogether mythical, good only to figure in newspapers and speeches in the free states. If there should prove to be one real living free state Democrat in Kansas, I suggest that it might be well to catch him, and stuff and preserve his skin, as an interesting specimen of that soon-to-be-extinct variety of the genus, Democrat.

And now as to the Dred Scott decision. That decision declares two propositions — first, that a negro cannot sue in the U. S. Courts, and secondly, that Congress cannot prohibit slavery in the Territories. It was made by a divided court — dividing differently on the different points. Judge Douglas does not discuss the merits of the decision; and, in that respect, I shall follow his example, believing I could no more improve on McLean and Curtis, than he could on Taney.

He denounces all who question the correctness of that decision, as offering violent resistance to it. But who resists it? Who has, in spite of the decision, declared Dred Scott free, and resisted the authority of his master over him?

Judicial decisions have two uses — first, to absolutely determine the case decided; and secondly, to indicate to the public how other similar cases will be decided when they arise. For the latter use, they are called "precedents" and "authorities."

We believe, as much as Judge Douglas, (perhaps more) in obedience to, and respect for, the judicial department of government. We think its decisions on Constitutional questions, when fully settled, should control, not only the particular cases decided, but the general policy of the country, subject to be disturbed only by amendments of the Constitution as provided in that instrument itself. More than this would be revolution. But we think the Dred Scott decision is erroneous. We know the court that made it, has often overruled its own decisions, and we shall do what we can to have it to overrule this. We offer no *resistance* to it.

Judicial decisions are of greater or less authority as precedents, according to circumstances. That this should be so, accords both with common sense, and the customary understanding of the legal profession.

If this important decision had been made by the unanimous concurrence of the judges, and without any apparent partisan bias, and in accordance with legal public expectation, and with the steady practice of the departments throughout our history, and had been in no part, based on assumed historical facts which are not really true; or, if wanting in some of these, it had been before the court more than once, and had there been affirmed and re-affirmed through a course of years, it then might be, perhaps would be, factious, nay, even revolutionary, not to acquiesce in it as a precedent.

But when, as it is true we find it wanting in all these claims to the public confidence, it is not re-

sistance, it is not factious, it is not even disrespectful, to treat it as not having yet quite established a settled doctrine for the country. But Judge Douglas considers this view awful. Hear him:

"The courts are the tribunals prescribed by the Constitution and created by the authority of the people to determine, expound and enforce the law. Hence, whoever resists the final decision of the highest judicial tribunal, aims a deadly blow to our whole Republican system of government — a blow, which if successful would place all our rights and liberties at the mercy of passion, anarchy and violence. I repeat, therefore, that if resistance to the decisions of the Supreme Court of the United States, in a matter like the points decided in the Dred Scott case, clearly within their jurisdiction as defined by the Constitution, shall be forced upon the country as a political issue, it will become a distinct and naked issue between the friends and enemies of the Constitution — the friends and the enemies of the supremacy of the laws."

Why, this same Supreme Court once decided a national bank to be constitutional; but Gen. Jackson, as President of the United States, disregarded the decision, and voted a bill for a re-charter, partly on constitutional ground, declaring that each public functionary must support the Constitution, "*as he understands it.*" But hear the General's own words. Here they are, taken from his veto message:

"It is maintained by the advocates of the bank, that its constitutionality, in all its features, ought to be considered as settled by precedent, and by the decision of the Supreme Court. To this conclusion I cannot assent. Mere precedent is a dangerous source of authority, and should not be regarded as deciding questions of constitutional power, except where the acquiescence of the people and the States

can be considered as well settled. So far from this being the case on this subject, an argument against the bank might be based on precedent. One Congress in 1791, decided in favor of a bank; another in 1811, decided against it. One Congress in 1815 decided against a bank; another in 1816 decided in its favor. Prior to the present Congress, therefore, the precedents drawn from that source were equal. If we resort to the States, the expressions of legislative, judicial and executive opinions against the bank have been probably to those in its favor as four to one. There is nothing in precedent, therefore, which if its authority were admitted, ought to weigh in favor of the act before me."

I drop the quotations merely to remark that all there ever was, in the way of precedent up to the Dred Scott decision, on the points therein decided, had been against that decision. But hear Gen. Jackson further—

"If the opinion of the Supreme Court covered the whole ground of this act, it ought not to control the co-ordinate authorities of this Government. The Congress, the executive and the court must each for itself be guided by its own opinion of the Constitution. Each public officer, who takes an oath to support the Constitution, swears that he will support it as he understands it, and not as it is understood by others."

Again and again have I heard Judge Douglas denounce that bank decision, and applaud Gen. Jackson for disregarding it. It would be interesting for him to look over his recent speech, and see how exactly his fierce philippics against us for resisting Supreme Court decisions, fall upon his own head. It will call to his mind a long and fierce political war in this country, upon an issue which, in his own language, and, of course, in his own change-

less estimation, was "a distinct and naked issue between the friends and the enemies of the Constitution," and in which war he fought in the ranks of the enemies of the Constitution.

I have said, in substance, that the Dred Scott decision was, in part, based on assumed historical facts which were not really true; and I ought not to leave the subject without giving some reasons for saying this; I therefore give an instance or two, which I think fully sustain me. Chief Justice Taney, in delivering the opinion of the majority of the Court, insists at great length that negroes were no part of the people who made, or for whom was made, the Declaration of Independence, or the Constitution of the United States.

On the contrary, Judge Curtis, in his dissenting opinion, shows that in five of the then thirteen States, to wit, New Hampshire, Massachusetts, New York, New Jersey, and North Carolina, free negroes were voters, and, in proportion to their numbers, had the same part in making the Constitution that the white people had. He shows this with so much particularity as to leave no doubt of its truth; and, as a sort of conclusion on that point, holds the following language:

"The Constitution was ordained and established by the people of the United States, through the action, in each State, of those persons who were qualified by its laws to act thereon in behalf of themselves and all other citizens of the State. In some of the States, as we have seen, colored persons were among those qualified by law to act on the subject. These colored persons were not only included in the body of 'the people of the United States,' by whom the Constitution was ordained and established; but in at least five of the States they had the power to act, and, doubtless, did act,

by their suffrages, upon the question of its adoption."

Again, Chief Justice Taney says: "It is difficult, at this day, to realize the state of public opinion in relation to that unfortunate race, which prevailed in the civilized and enlightened portions of the world at the time of the Declaration of Independence, and when the Constitution of the United States was framed and adopted." And again, after quoting from the Declaration, he says: "The general words above quoted would seem to include the whole human family, and if they were used in a similar instrument at this day, would be so understood."

In these the Chief Justice does not directly assert, but plainly assumes, as a fact, that the public estimate of the black man is more favorable *now* than it was in the days of the Revolution. This assumption is a mistake. In some trifling particulars, the condition of that race has been ameliorated; but, as a whole, in this country, the change between then and now is decidedly the other way; and their ultimate destiny has never appeared so hopeless as in the last three or four years. In two of the five States — New Jersey and North Carolina — that then gave the free negro the right of voting, the right has since been taken away; and in a third — New York — it has been greatly abridged; while it has not been extended, so far as I know, to a single additional State, though the number of the States has more than doubled. In those days, as I understand, masters could, at their own pleasure, emancipate their slaves; but since then, such legal restraints have been made upon emancipation, as to amount almost to prohibition. In those days, Legislatures held the unquestioned power to abolish slavery in their respective States, but now it is becoming quite

fashionable for State Constitutions to withhold that power from the Legislatures. In those days, by common consent, the spread of the black man's bondage to new countries was prohibited; but now, Congress decides that it *will* not continue the prohibition, and the Supreme Court decides that it *could* not if it would. In those days, our Declaration of Independence was held sacred by all, and thought to include all; but now, to aid in making the bondage of the negro universal and eternal, it is assailed, and sneered at, and construed, and hawked at, and torn, till, if its framers could rise from their graves, they could not at all recognize it. All the powers of earth seem rapidly combining against him. Mammon is after him; ambition follows, and philosophy follows, and the Theology of the day is fast joining the cry. They have him in his prison house; they have searched his person, and left no prying instrument with him. One after another they have closed the heavy iron doors upon him, and now they have him, as it were, bolted in with a lock of a hundred keys, which can never be unlocked without the concurrence of every key; the keys in the hands of a hundred different men, and they scattered to a hundred different and distant places; and they stand musing as to what invention, in all the dominions of mind and matter, can be produced to make the impossibility of his escape more complete than it is.

It is grossly incorrect to say or assume, that the public estimate of the negro is more favorable now than it was at the origin of the government.

Three years and a half ago, Judge Douglas brought forward his famous Nebraska bill. The country was at once in a blaze. He scorned all opposition, and carried it through Congress. Since then he has seen himself superseded in a Presidential

nomination, by one indorsing the general doctrine of his measure, but at the same time standing clear of the odium of its untimely agitation, and its gross breach of national faith; and he has seen that successful rival Constitutionally elected, not by the strength of friends, but by the division of adversaries, being in a popular minority of nearly four hundred thousand votes. He has seen his chief aids in his own State, Shields and Richardson, politically speaking, successively tried, convicted, and executed, for an offense not their own, but his. And now he sees his own case, standing next on the docket for trial.

There is a natural disgust in the minds of nearly all white people, to the idea of an indiscriminate amalgamation of the white and black races; and Judge Douglas evidently is basing his chief hope upon the chances of his being able to appropriate the benefit of this disgust to himself. If he can, by much drumming and repeating, fasten the odium of that idea upon his adversaries, he thinks he can struggle through the storm. He therefore clings to this hope, as a drowning man to the last plank. He makes an occasion for lugging it in from the opposition to the Dred Scott decision. He finds the Republicans insisting that the Declaration of Independence includes ALL men, black as well as white; and forthwith he boldly denies that it includes negroes at all, and proceeds to argue gravely that all who contend it does, do so only because they want to vote, and eat, and sleep, and marry with negroes! He will have it that they cannot be consistent else. Now I protest against that counterfeit logic which concludes that, because I do not want a black woman for a *slave* I must necessarily want her for a *wife*. I need not have her for either, I can just leave her alone. In some respects she certainly

is not my equal; but in her natural right to eat the bread she earns with her own hands without asking leave of any one else, she is my equal, and the equal of all others.

Chief Justice Taney, in his opinion in the Dred Scott case, admits that the language of the Declaration is broad enough to include the whole human family, but he and Judge Douglas argue that the authors of that instrument did not intend to include negroes, by the fact that they did not at once, actually place them on an equality with the whites. Now this grave argument comes to just nothing at all, by the other fact, that they did not at once, *or ever afterwards*, actually place all white people on an equality with one another. And this is the staple argument of both the Chief Justice and the Senator, for doing this obvious violence to the plain, unmistakable language of the Declaration. I think the authors of that notable instrument intended to include *all* men, but they did not intend to declare all men equal *in all respects*. They did not mean to say all were equal in color, size, intellect, moral developments, or social capacity. They defined with tolerable distinctness, in what respects they did consider all men created equal — equal in "certain inalienable rights, among which are life, liberty, and the pursuit of happiness." This they said, and this meant. They did not mean to assert the obvious untruth, that all were then actually enjoying that equality, nor yet, that they were about to confer it immediately upon them. In fact they had no power to confer such a boon. They meant simply to declare the *right*, so that the *enforcement* of it might follow as fast as circumstances should permit. They meant to set up a standard maxim for free society, which could be familiar to all, and revered by all; constantly looked to, constantly

labored for, and even though never perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence, and augmenting the happiness and value of life to all people of all colors everywhere. The assertion that "all men are created equal" was of no practical use in effecting our separation from Great Britain; and it was placed in the Declaration, not for that, but for future use. Its authors meant it to be, thank God, it is now proving itself, a stumbling block to those who in after times might seek to turn a free people back into the hateful paths of despotism. They knew the proneness of prosperity to breed tyrants, and they meant when such should reappear in this fair land and commence their vocation they should find left for them at least one hard nut to crack.

I have now briefly expressed my view of the *meaning* and *objects* of that part of the Declaration of Independence which declares that "all men are created equal." Now let us hear Judge Douglas's view of the same subject, as I find it in the printed report of his late speech. Here it is:

"No man can vindicate the character, motives and conduct of the signers of the Declaration of Independence, except upon the hypothesis that they referred to the white race alone, and not to the African, when they declared all men to have been created equal — that they were speaking of British subjects on this continent being equal to British subjects born and residing in Great Britain — that they were entitled to the same inalienable rights, and among them were enumerated life, liberty and the pursuit of happiness. The Declaration was adopted for the purpose of justifying the colonists in the eyes of the civilized world in withdrawing their allegiance from the British crown,

and dissolving their connection with the mother country."

My good friends, read that carefully over some leisure hour, and ponder well upon it — see what a mere wreck — mangled ruin — it makes of our once glorious Declaration.

"They were speaking of British subjects on this continent being equal to British subjects born and residing in Great Britain!" Why, according to this, not only negroes but white people outside of Great Britain and America are not spoken of in that instrument. The English, Irish and Scotch, along with white Americans, were included to be sure, but the French, Germans and other white people of the world are all gone to pot along with the Judge's inferior races.

I had thought the Declaration promised something better than the condition of British subjects; but no, it only meant that we should be *equal* to them in their own oppressed and *unequal* condition. According to that, it gave no promise that having kicked off the King and Lords of Great Britain, we should not at once be saddled with a King and Lords of our own.

I had thought the Declaration contemplated the progressive improvement in the condition of all men everywhere; but no, it merely "was adopted for the purpose of justifying the colonists in the eyes of the civilized world in withdrawing their allegiance from the British crown, and dissolving their connection with the mother country." Why, that object having been effected some eighty years ago, the Declaration is of no practical use now — mere rubbish — old wadding left to rot on the battle-field after the victory is won.

I understand you are preparing to celebrate the "Fourth," to-morrow week. What for? The doings

of that day had no reference to the present; and quite half of you are not even descendants of those who were referred to at that day. But I suppose you will celebrate; and will even go so far as to read the Declaration. Suppose after you read it once in the old fashioned way, you read it once more with Judge Douglas' version. It will then run thus: "We hold these truths to be self-evident that all British subjects who were on this continent eighty-one years ago, were created equal to all British subjects born and *then* residing in Great Britain."

And now I appeal to all — to Democrats as well as other, — are you really willing that the Declaration shall be thus frittered away? — thus left no more at most, than an interesting memorial of the dead past? thus shorn of its vitality, and practical value; and left without the *germ* or even the *suggestion* of the individual rights of man in it?

But Judge Douglas is especially horrified at the thought of the mixing of blood by the white and black races: agreed for once — a thousand times agreed. There are white men enough to marry all the white women, and black men enough to marry all the black women; and so let them be married. On this point we fully agree with the Judge; and when he shall show that his policy is better adapted to prevent amalgamation than ours we shall drop ours, and adopt his. Let us see. In 1850 there were in the United States 405,751 mulattoes. Very few of these are the offspring of whites and *free* blacks; nearly all have sprung from black *slaves* and white masters. A separation of the races is the only perfect preventive of amalgamation; but as an immediate separation is impossible the next best thing is to *keep* them apart *where* they are not already together. If white and black people never get together in Kansas, they will never mix blood in

Kansas. That is at least one self-evident truth. A few free colored persons may get into the free States, in any event; but their number is too insignificant to amount to much in the way of mixing blood. In 1850 there were in the free States, 56,649 mulattoes; but for the most part they were not born there — they came from the slave States, ready made up. In the same year the slave States had 348,874 mulattoes, all of home production. The proportion of free mulattoes to free blacks — the only colored classes in the free states — is much greater in the slave than in the free states. It is worthy of note too, that among the free states those which make the colored man the nearest to equal the white, have proportionably the fewest mulattoes, the least of amalgamation. In New Hampshire, the State which goes farthest toward equality between the races, there are just 184 mulattoes, while there are in Virginia — how many do you think? — 79,775, being 23,126 more than in all the free States together.

These statistics show that slavery is the greatest source of amalgamation; and next to it, not the elevation, but the degradation of the free blacks. Yet Judge Douglas dreads the slightest restraints on the spread of slavery, and the slightest human recognition of the negro, as tending horribly to amalgamation.

The very Dred Scott case affords a strong test as to which party most favors amalgamation, the Republicans or the dear Union-saving Democracy. Dred Scott, his wife and two daughters were all involved in the suit. We desired the court to have held that they were citizens so far at least as to entitle them to a hearing as to whether they were free or not; and then, also, that they were in fact and in law really free. Could we have had our way,

the chances of these black girls ever mixing their blood with that of white people, would have been diminished at least to the extent that it could not have been without their consent. But Judge Douglas is delighted to have them decided to be slaves, and not human enough to have a hearing, even if they were free, and thus left subject to the forced concubinage of their masters, and liable to become the mothers of mulattoes in spite of themselves — the very state of case that produces nine tenths of all the mulattoes — all the mixing of blood in the nation.

Of course, I state this case as an illustration only, not meaning to say or intimate that the master of Dred Scott and his family, or any more than a percentage of masters generally, are inclined to exercise this particular power which they hold over their female slaves.

I have said that the separation of the races is the only perfect preventive of amalgamation. I have no right to say all the members of the Republican party are in favor of this, nor to say that as a party they are in favor of it. There is nothing in their platform directly on the subject. But I can say a very large proportion of its members are for it, and that the chief plank in their platform — opposition to the spread of slavery — is most favorable to that separation.

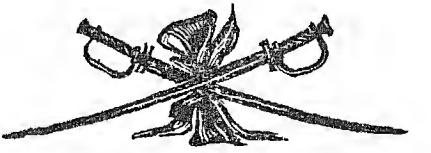
Such separation, if ever effected at all, must be effected by colonization; and no political party, as such, is now doing anything directly for colonization. Party operations at present only favor or retard colonization incidentally. The enterprise is a difficult one; but "where there is a will there is a way," and what colonization needs most is a hearty will. Will springs from the two elements of moral sense and self-interest. Let us be brought to believe

it is morally right, and at the same time, favorable to, or at least, not against, our interest, to transfer the African to his native clime, and we shall find a way to do it, however great the task may be. The children of Israel, to such numbers as to include four hundred thousand fighting men, went out of Egyptian bondage in a body.

How differently the respective courses of the Democratic and Republican parties incidentally bear on the question of forming a will — a public sentiment — for colonization, is easy to see. The Republicans inculcate, with whatever of ability they can, that the negro is a man, that his bondage is cruelly wrong, and that the field of his oppression ought not to be enlarged. The Democrats deny his manhood; deny, or dwarf to insignificance, the wrong of his bondage; so far as possible, crush all sympathy for him, and cultivate and excite hatred and disgust against him; compliment themselves as Union-savers for doing so; and call the indefinite outspreading of his bondage "a sacred right of self-government."

The plainest print cannot be read through a gold eagle; and it will be ever hard to find many men who will send a slave to Liberia, and pay his passage, while they can send him to a new country, Kansas, for instance, and sell him for fifteen hundred dollars, and the rise.

A HOUSE DIVIDED:
SPEECH AT SPRINGFIELD, ILLINOIS
REPUBLICAN STATE CONVENTION
JUNE 16, 1858



By 1858 the anti-slavery forces of the North were consolidating in the new Republican party, started in 1854. This speech closed the Republican convention which had nominated Lincoln for United States Senator, and opened his campaign against Senator Douglas who won re-election on the Democratic ticket.

GENTLEMEN:

IF we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it.

We are now far into the fifth year, since a policy was initiated, with the avowed object, and confident promise, of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease, until a crisis shall have been reached, and passed —

"A house divided against itself cannot stand."

I believe this government cannot endure, permanently half *slave* and half *free*.

I do not expect the Union to be dissolved — I do not expect the house to fall — but I do expect it will cease to be divided.

It will become all one thing, or all the other.

Either the opponents of slavery, will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the States, old as well as new — North as well as South.

Have we no tendency to the latter condition?

Let any one who doubts, carefully contemplate that now almost complete legal combination — piece of *machinery*, so to speak — compounded of the Nebraska doctrine, and the Dred Scott decision. Let him consider not only what work the machinery is adapted to do, and how well adapted; but also, let him study the history of its construction, and trace, if he can, or rather *fail*, if he can, to trace the evidences of design, and concert of action, among its chief bosses, from the beginning.

The new year 1854 found slavery excluded from more than half the States by State Constitutions, and from most of the national territory by congressional prohibition.

Four days later commenced the struggle, which ended in repealing that congressional prohibition. This opened all the national territory to slavery; and was the first point gained.

But, so far, Congress only, had acted; and an indorsement by the people, real or apparent, was indispensable, to save the point already gained, and give chance for more.

This necessity had not been overlooked; but had been provided for, as well as might be, in the notable argument of "squatter sovereignty," otherwise called "*sacred right of self government*," which latter phrase, though expressive of the only rightful basis of any government, was so perverted in this attempted use of it as to amount to just this:

That if any *one* man, choose to enslave *another*, no *third* man shall be allowed to object.

That argument was incorporated into the Nebraska bill itself, in the language which follows: "*It being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States.*"

Then opened the roar of loose declamation in favor of "Squatter Sovereignty," and "Sacred right of self government."

"But," said opposition members, "let us be more specific — let us amend the bill so as to expressly declare that the people of the Territory *may* exclude slavery." "Not we," said the friends of the measure; and down they voted the amendment.

While the Nebraska bill was passing through congress, a law case, involving the question of a negro's freedom, by reason of his owner having voluntarily taken him first into a free State and then a territory covered by the congressional prohibition, and held him as a slave for a long time in each, was passing through the U. S. Circuit Court for the District of Missouri; and both Nebraska bill and law suit were brought to a decision in the same month of May, 1854. The negro's name was "Dred Scott," which name now designates the decision finally made in the case.

Before the then next Presidential election, the law case came to, and was argued in the Supreme Court of the United States; but the decision of it was deferred until after the election. Still, before the election, Senator Trumbull, on the floor of the Senate, requests the leading advocate of the Nebraska bill to state his opinion whether the people

of a territory can constitutionally exclude slavery from their limits; and the latter answers, "That is a question for the Supreme Court."

The election came. Mr. Buchanan was elected, and the indorsement, such as it was, secured. That was the second point gained. The indorsement, however, fell short of a clear popular majority by nearly four hundred thousand votes, and so, perhaps, was not over-whelmingly reliable and satisfactory. The outgoing President, in his last annual message, as impressively as possible echoed back upon the people the weight and authority of the indorsement.

The Supreme Court met again; did not announce their decision, but ordered a re-argument.

The Presidential inauguration came, and still no decision of the court; but the incoming President, in his inaugural address, fervently exhorted the people to abide by the forthcoming decision, whatever it might be.

Then, in a few days, came the decision.

The reputed author of the Nebraska bill finds an early occasion to make a speech at this capitol indorsing the Dred Scott Decision, and vehemently denouncing all opposition to it.

The new President, too, seizes the early occasion of the Silliman letter to indorse and strongly construe that decision, and to express his astonishment that any different view had ever been entertained.

At length a squabble springs up between the President and the author of the Nebraska bill, on the mere question of fact, whether the Lecompton constitution was or was not, in any just sense, made by the people of Kansas; and in that quarrel the latter declares that all he wants is a fair vote for the people, and that he cares not whether slavery be voted down or voted up. I do not understand his

declaration that he cares not whether slavery be voted down or voted up, to be intended by him other than as an apt definition of the policy he would impress upon the public mind — the principle for which he declares he has suffered much, and is ready to suffer to the end.

And well may he cling to that principle. If he has any parental feeling, well may he cling to it. That principle, is the only shred left of his original Nebraska doctrine. Under the Dred Scott decision, "squatter sovereignty" squatted out of existence, tumbled down like temporary scaffolding — like the mold at the foundry served through one blast and fell back into loose sand — helped to carry an election, and then was kicked to the winds. His late joint struggle with the Republicans, against the Lecompton Constitution, involves nothing of the original Nebraska doctrine. That struggle was made on a point, the right of a people to make their own constitution, upon which he and the Republicans have never differed.

The several points of the Dred Scott decision, in connection with Senator Douglas's "care not" policy, constitute the piece of machinery, in its present state of advancement.

The working points of that machinery are:

First, that no negro slave, imported as such from Africa, and no descendant of such slave can ever be a citizen of any State, in the sense of that term as used in the Constitution of the United States.

This point is made in order to deprive the negro, in every possible event, of the benefit of that provision of the United States Constitution, which declares that — "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several states."

Secondly, that "subject to the Constitution of the

United States," neither Congress nor a Territorial Legislature can exclude slavery from any United States Territory. The point is made in order that individual men may fill up the territories with slaves, without danger of losing them as property, and thus enhance the chances of permanency to the institution through all the future.

Thirdly, that whether the holding a negro in actual slavery in a free State, makes him free, as against the holder, the United States courts will not decide, but will leave to be decided by the courts of any slave State the negro may be forced into by the master. This point is made, not to be pressed immediately; but, if acquiesced in for a while, and apparently indorsed by the people at an election, then to sustain the logical conclusion that what Dred Scott's master *might* lawfully do with Dred Scott, in the free State of Illinois, every other master may lawfully do with any other one or one thousand slaves, in Illinois, or in any other free State.

Auxiliary to all this, and working hand in hand with it, the Nebraska doctrine, or what is left of it, is to educate and mould public opinion, at least Northern public opinion, to not care whether slavery is voted down or voted up.

This shows exactly where we now are; and partially also, whither we are tending.

It will throw additional light on the latter, to go back, and run the mind over the string of historical facts already stated. Several things will now appear less dark and mysterious than they did *when* they were transpiring. The people were to be left "perfectly free" "subject only to the Constitution." What the Constitution had to do with it, outsiders could not then see. Plainly enough now, it was an exactly fitted nitch for the Dred Scott decision to afterward come in, and declare

that perfect freedom of the people, to be just no freedom at all.

Why was the amendment, expressly declaring the right of the people to exclude slavery, voted down? Plainly enough now, the adoption of it, would have spoiled the nitch for the Dred Scott Decision. Why was the court decision held up? Why even a Senator's individual opinion withheld, till after the Presidential election? Plainly enough now, the speaking out then would have damaged the "perfectly free" argument upon which the election was to be carried.

Why the outgoing President's felicitation on the indorsement? Why the delay of a reargument? Why the incoming President's advance exhortation in favor of the decision?

These things look like the cautious patting and petting of a spirited horse, preparatory to mounting him, when it is dreaded that he may give the rider a fall.

And why the hasty after indorsements of the decision by the President and others?

We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places and by different workmen — Stephen, Franklin, Roger, and James, for instance — and we see these timbers joined together, and see they exactly make the frame of a house or a mill, all the tenons and mortises exactly fitting, and all the lengths and proportions of the different pieces exactly adapted to their respective places, and not a piece too many or too few — not omitting even scaffolding — or, if a single piece be lacking, we see the place in the frame exactly fitted and prepared to yet bring such piece in — in such a

case, we find it impossible not to believe that Stephen and Franklin and Roger and James all understood one another from the beginning, and all worked upon a common plan or draft drawn up before the first lick was struck.

It should not be overlooked that, by the Nebraska bill, the people of a State as well as Territory, were to be left "perfectly free" "subject only to the Constitution." Why mention a State? They were legislating for territories, and not for or about States. Certainly the people of a State are and ought to be subject to the Constitution of the United States; but why is mention of this lugged into this merely territorial law? Why are the people of a territory and the people of a state therein lumped together, and their relation to the Constitution therein treated as being precisely the same?

While the opinion of the Court, by Chief Justice Taney, in the Dred Scott case, and the separate opinions of all the concurring Judges, expressly declare that the Constitution of the United States neither permits Congress nor a territorial legislature to exclude slavery from any United States territory, they all omit to declare whether or not the same Constitution permits a state, or the people of a state, to exclude it.

Possibly, this is a mere omission; but who can be quite sure, if McLean or Curtis had sought to get into the opinion a declaration of unlimited power in the people of a state to exclude slavery from their limits, just as Chase and Mace sought to get such declaration, in behalf of the people of a territory, into the Nebraska bill — I ask, who can be quite sure that it would not have been voted down, in the one case, as it had been in the other?

The nearest approach to the point of declaring the power of a State over slavery, is made by Judge

Nelson. He approaches it more than once, using the precise idea, and almost the language too, of the Nebraska act. On one occasion his exact language is, "except in cases where the power is restrained by the Constitution of the United States, the law of the State is supreme over the subject of slavery within its jurisdiction."

In what cases the power of the states is so restrained by the U. S. Constitution is left an open question, precisely as the same question, as to the restraint on the power of the territories was left open in the Nebraska act. Put that and that together, and we have another nice little nitch, which we may, ere long, see filled with another Supreme Court decision, declaring that the Constitution of the United States does not permit a state to exclude slavery from its limits.

And this may especially be expected if the doctrine of "care not whether slavery be voted down or voted up," shall gain upon the public mind sufficiently to give promise that such a decision can be maintained when made.

Such a decision is all that slavery now lacks of being alike lawful in all the States.

Welcome or unwelcome, such decision *is* probably coming, and will soon be upon us, unless the power of the present political dynasty shall be met and overthrown. We shall lie down pleasantly dreaming that the people of Missouri are on the verge of making their State free; and we shall awake to the reality, instead, that the Supreme Court has made Illinois a slave State.

To meet and overthrow the power of that dynasty, is the work now before all those who would prevent that consummation.

That is what we have to do.

But how can we best do it?

There are those who denounce us openly to their own friends, and yet whisper us softly, that Senator Douglas is the aptest instrument there is, with which to effect that object. They do not tell us, nor has he told us, that he wishes any such object to be effected. They wish us to infer all, from the facts that he now has a little quarrel with the present head of the dynasty; and that he has regularly voted with us, on a single point, upon which, he and we, have never differed.

They remind us that he is a great man, and that the largest of us are very small ones. Let this be granted. But "a living dog is better than a dead lion." Judge Douglas, if not a dead lion for this work, is at least a caged and toothless one. How can he oppose the advances of slavery? He don't care anything about it. His avowed mission is impressing the "public heart" to care nothing about it.

A leading Douglas Democratic newspaper thinks Douglas' superior talent will be needed to resist the revival of the African slave trade.

Does Douglas believe an effort to revive that trade is approaching? He has not said so. Does he really think so? But if it is, how can he resist it? For years he has labored to prove it a sacred right of white men to take negro slaves into the new territories. Can he possibly show that it is less a sacred right to buy them where they can be bought cheapest? And, unquestionably they can be bought cheaper in Africa than in Virginia.

He has done all in his power to reduce the whole question of slavery to one of a mere right of property; and as such, how can he oppose the foreign slave trade — how can he refuse, that trade in that "property" shall be "perfectly free" — unless he does it as a protection to the home production? And as the home producers will probably not ask

the protection, he will be wholly without a ground of opposition. Senator Douglas holds, we know, that a man may rightfully be wiser to-day than he was yesterday — that he may rightfully change when he finds himself wrong. But, can we for that reason, run ahead, and infer that he will make any particular change, of which he, himself, has given no intimation? Can we safely base our action upon any such vague inference?

Now, as ever, I wish to not misrepresent Judge Douglas' position, question his motives, or do aught that can be personally offensive to him.

Whenever, if ever, he and we can come together on principle so that our great cause may have assistance from his great ability, I hope to have interposed no adventitious obstacle.

But clearly, he is not now with us — he does not pretend to be — he does not promise to ever be.

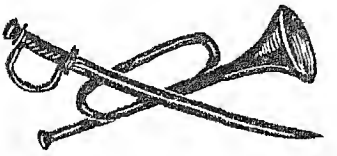
Our cause, then, must be intrusted to, and conducted by its own undoubted friends — those whose hands are free, whose hearts are in the work — who do care for the result.

Two years ago the Republicans of the nation mustered over thirteen hundred thousand strong. We did this under the single impulse of resistance to a common danger, with every external circumstance against us. Of strange, discordant, and even hostile elements, we gathered from the four winds, and formed and fought the battle through, under the constant hot fire of a disciplined, proud, and pampered enemy.

Did we brave all then to falter now? — now — when that same enemy is wavering, dissevered, and belligerent? The result is not doubtful. We shall not fail — if we stand firm, we shall not fail.

Wise counsels may accelerate or mistakes delay it, but sooner or later the victory is sure to come!

ADDRESS AT COOPER INSTITUTE IN NEW YORK FEBRUARY 27, 1860



The Republicans by 1860 were a solidified Northern party, and this was their Presidential candidate's first Eastern speech. The Democrats were split. Douglas, the regular candidate, had finally paid the penalty for standing in both camps: the ardent slave states refused to support him, nominated Breckinridge, and so elected Lincoln.

MR. PRESIDENT AND FELLOW-CITIZENS:

THE facts with which I shall deal this evening are mainly old and familiar; nor is there anything new in the general use I shall make of them. If there shall be any novelty, it will be in the mode of presenting the facts, and the inferences and observations following that presentation.

In his speech last autumn, at Columbus, Ohio, as reported in "The New-York Times," Senator Douglas said: "*Our fathers, when they framed the Government under which we live, understood this question just as well, and even better, than we do now.*"

I fully indorse this, and I adopt it as a text for this discourse. I so adopt it because it furnishes a precise and an agreed starting point for a discussion between Republicans and that wing of the Democracy headed by Senator Douglas. It simply

leaves the inquiry: "*What was the understanding those fathers had of the question mentioned?*"

What is the frame of government under which we live?

The answer must be: "The Constitution of the United States." That Constitution consists of the original, framed in 1787, (and under which the present government first went into operation,) and twelve subsequently framed amendments, the first ten of which were framed in 1789.

Who were our fathers that framed the Constitution? I suppose the "thirty-nine" who signed the original instrument may be fairly called our fathers who framed that part of the present Government. It is almost exactly true to say they framed it, and it is altogether true to say they fairly represented the opinion and sentiment of the whole nation at that time. Their names, being familiar to nearly all, and accessible to quite all, need not now be repeated.

I take these "thirty-nine," for the present, as being "our fathers who framed the Government under which we live."

What is the question which, according to the text, those fathers understood "just as well, and even better than we do now?"

It is this: Does the proper division of local from federal authority, or anything in the Constitution, forbid our *Federal Government* to control as to slavery in our *Federal Territories?*

Upon this, Senator Douglas holds the affirmative, and Republicans the negative. This affirmation and denial form an issue; and this issue — this question — is precisely what the text declares our fathers understood "better than we."

Let us now inquire whether the "thirty-nine," or any of them, ever acted upon this question; and

if they did, how they acted upon it — how they expressed that better understanding?

In 1784, three years before the Constitution — the United States then owning the Northwestern Territory, and no other, the Congress of the Confederation had before them the question of prohibiting slavery in that Territory; and four of the "thirty-nine" who afterward framed the Constitution, were in that Congress and voted on that question. Of these, Roger Sherman, Thomas Mifflin, and Hugh Williamson voted for the prohibition, thus showing that, in their understanding, no line dividing local from federal authority, nor anything else, properly forbade the Federal Government to control as to slavery in federal territory. The other of the four — James M'Henry — voted against the prohibition, showing that, for some cause, he thought it improper to vote for it.

In 1787, still before the Constitution, but while the Convention was in session framing it, and while the Northwestern Territory still was the only territory owned by the United States, the same question of prohibiting slavery in the territory again came before the Congress of the Confederation; and two more of the "thirty-nine" who afterward signed the Constitution, were in that Congress, and voted on the question. They were William Blount and William Few; and they both voted for the prohibition — thus showing that, in their understanding, no line dividing local from federal authority, nor anything else, properly forbids the Federal Government to control as to slavery in Federal territory. This time the prohibition became a law, being part of what is now well known as the Ordinance of '87.

The question of federal control of slavery in the territories, seems not to have been directly before

the Convention which framed the original Constitution; and hence it is not recorded that the "thirty-nine," or any of them, while engaged on that instrument, expressed any opinion on that precise question.

In 1789, by the first Congress which sat under the Constitution, an act was passed to enforce the Ordinance of '87, including the prohibition of slavery in the Northwestern Territory. The bill for this act was reported by one of the "thirty-nine," Thomas Fitzsimmons, then a member of the House of Representatives from Pennsylvania. It went through all its stages without a word of opposition, and finally passed both branches without yeas and nays, which is equivalent to an unanimous passage. In this Congress there were sixteen of the thirty-nine fathers who framed the original Constitution. They were John Langdon, Nicholas Gilman, Wm. S. Johnson, Roger Sherman, Robert Morris, Thos. Fitzsimmons, William Few, Abraham Baldwin, Rufus King, William Paterson, George Clymer, Richard Bassett, George Read, Pierce Butler, Daniel Carroll, James Madison.

This shows that, in their understanding, no line dividing local from federal authority, nor anything in the Constitution, properly forbade Congress to prohibit slavery in the federal territory; else both their fidelity to correct principle, and their oath to support the Constitution, would have constrained them to oppose the prohibition.

Again, George Washington, another of the "thirty-nine," was then President of the United States, and, as such approved and signed the bill; thus completing its validity, and thus showing that, in his understanding, no line dividing local from federal authority forbade the Federal Government to control as to slavery in federal territory.

No great while after the adoption of the original Constitution, North Carolina ceded to the Federal Government the country now constituting the State of Tennessee; and a few years later Georgia ceded that which now constitutes the States of Mississippi and Alabama. In both deeds of cession it was made a condition by the ceding States that the Federal Government should not prohibit slavery in the ceded country. Besides this, slavery was then actually in the ceded country. Under these circumstances, Congress, on taking charge of these countries, did not absolutely prohibit slavery within them. But they did interfere with it — take control of it — even there, to a certain extent. In 1798, Congress organized the Territory of Mississippi. In the act of organization, they prohibited the bringing of slaves into the Territory, from any place without the United States, by fine, and giving freedom to slaves so brought. This act passed both branches of Congress without yeas and nays.

In that Congress were three of the "thirty-nine" who framed the original Constitution. They were John Langdon, George Read and Abraham Baldwin. They all, probably, voted for it. Certainly they would have placed their opposition to it upon record, if, in their understanding, any line dividing local from federal authority, or anything in the Constitution, properly forbade the Federal Government to control as to slavery in federal territory.

In 1803, the Federal Government purchased the Louisiana country. Our former territorial acquisitions came from certain of our own States; but this Louisiana country was acquired from a foreign nation. In 1804, Congress gave a territorial organization to that part of it which now constitutes the

State of Louisiana. New Orleans, lying within that part, was an old and comparatively large city. There were other considerable towns and settlements, and slavery was extensively and thoroughly intermingled with the people. Congress did not, in the Territorial Act, prohibit slavery; but they did interfere with it — take control of it — in a more marked and extensive way than they did in the case of Mississippi. The substance of the provision therein made, in relation to slaves, was:

First. That no slave should be imported into the territory from foreign parts.

Second. That no slave should be carried into it who had been imported into the United States since the first day of May, 1798.

Third. That no slave should be carried into it, except by the owner, and for his own use as a settler; the penalty in all the cases being a fine upon the violator of the law, and freedom to the slave.

This act also was passed without yeas and nays. In the Congress which passed it, there were two of the "thirty-nine." They were Abraham Baldwin and Jonathan Dayton. As stated in the case of Mississippi, it is probable they both voted for it. They would not have allowed it to pass without recording their opposition to it, if, in their understanding, it violated either the line properly dividing local from federal authority, or any provision of the Constitution.

In 1819-20, came and passed the Missouri question. Many votes were taken, by yeas and nays, in both branches of Congress, upon the various phases of the general question. Two of the "thirty-nine" — Rufus King and Charles Pinckney — were members of that Congress. Mr. King steadily voted for slavery prohibition and against all compromises, while Mr. Pinckney as steadily voted against slav-

ery prohibition and against all compromise. By this, Mr. King showed that, in his understanding, no line dividing local from federal authority, nor anything in the Constitution, was violated by Congress prohibiting slavery in federal territory; while Mr. Pinckney, by his votes, showed that, in his understanding, there was some sufficient reason for opposing such prohibition in that case.

The cases I have mentioned are the only acts of the "thirty-nine," or of any of them, upon the direct issue, which I have been able to discover.

To enumerate the persons who thus acted, as being four in 1784, two in 1787, seventeen in 1789, three in 1798, two in 1804, and two in 1819-20 — there would be thirty of them. But this would be counting John Langdon, Roger Sherman, William Few, Rufus King, and George Read each twice, and Abraham Baldwin, three times. The true number of those of the "thirty-nine" whom I have shown to have acted upon the question, which, by the text, they understood better than we, is twenty-three, leaving sixteen not shown to have acted upon it in any way.

Here, then, we have twenty-three out of our thirty-nine fathers "who framed the government under which we live," who have, upon their official responsibility and their corporal oaths, acted upon the very question which the text affirms they "understood just as well, and even better than we do now"; and twenty-one of them — a clear majority of the whole "thirty-nine" — so acting upon it as to make them guilty of gross political impropriety and wilful perjury, if, in their understanding, any proper division between local and federal authority, or anything in the Constitution they had made themselves, and sworn to support, forbade the Federal Government to control as to slav-

ery in the federal territory. Thus the twenty-one acted; and, as actions speak louder than words, so actions, under such responsibility, speak still louder.

Two of the twenty-three voted against Congressional prohibition of slavery in the federal territories, in the instances in which they acted upon the question. But for what reasons they so voted is not known. They may have done so because they thought a proper division of local from federal authority, or some provision or principle of the Constitution, stood in the way; or they may, without any such question, have voted against the prohibition, on what appeared to them to be sufficient *grounds of expediency. No one who has sworn to* support the Constitution can conscientiously vote for what he understands to be an unconstitutional measure, however expedient he may think it; but one may and ought to vote against a measure which he deems constitutional, if, at the same time, he deems it inexpedient. It, therefore, would be unsafe to set down even the two who voted against the prohibition, as having done so because, in their understanding, any proper division of local from federal authority, or anything in the Constitution, forbade the Federal Government to control as to slavery in federal territory.

The remaining sixteen of the "thirty-nine," so far as I have discovered, have left no record of their understanding upon the direct question of federal control of slavery in the federal territories. But there is much reason to believe that their understanding upon that question would not have appeared different from that of their twenty-three compeers, had it been manifested at all.

For the purpose of adhering rigidly to the text, I have purposely omitted whatever understanding

may have been manifested by any person, however distinguished, other than the thirty-nine fathers who framed the original Constitution; and, for the same reason, I have also omitted whatever understanding may have been manifested by any of the "thirty-nine" even, on any other phase of the general question of slavery. If we should look into their acts and declarations on those other phases, as the foreign slave trade, and the morality and policy of slavery generally, it would appear to us that on the direct question of federal control of slavery in federal territories, the sixteen, if they had acted at all, would probably have acted just as the twenty-three did. Among that sixteen were several of the most noted anti-slavery men of those times — as Dr. Franklin, Alexander Hamilton and Gouverneur Morris — while there was not one now known to have been otherwise, unless it may be John Rutledge, of South Carolina.

The sum of the whole is, that of our thirty-nine fathers who framed the original Constitution, twenty-one — a clear majority of the whole — certainly understood that no proper division of local from federal authority, nor any part of the Constitution, forbade the Federal Government to control slavery in the federal territories; while all the rest probably had the same understanding. Such, unquestionably, was the understanding of our fathers who framed the original Constitution; and the text affirms that they understood the question "better than we."

But, so far, I have been considering the understanding of the question manifested by the framers of the original Constitution. In and by the original instrument, a mode was provided for amending it; and, as I have already stated, the present frame of "the Government under which we live" consists

of that original, and twelve amendatory articles framed and adopted since. Those who now insist that federal control of slavery in federal territories violates the Constitution, point us to the provisions which they suppose it thus violates; and, as I understand, that all fix upon provisions in these amendatory articles, and not in the original instrument. The Supreme Court, in the Dred Scott case, plant themselves upon the fifth amendment, which provides that no person shall be deprived of "life, liberty or property without due process of law"; while Senator Douglas and his peculiar adherents plant themselves upon the tenth amendment, providing that "the powers not delegated to the United States by the Constitution" "are reserved to the States respectively, or to the people."

Now, it so happens that these amendments were framed by the first Congress which sat under the Constitution—the identical Congress which passed the act already mentioned, enforcing the prohibition of slavery in the Northwestern Territory. Not only was it the same Congress, but they were the identical, same individual men who, at the same session, and at the same time within the session, had under consideration, and in progress toward maturity, these Constitutional amendments, and this act prohibiting slavery in all the territory the nation then owned. The Constitutional amendments were introduced before, and passed after the act enforcing the Ordinance of '87; so that, during the whole pendency of the act to enforce the Ordinance, the Constitutional amendments were also pending.

The seventy-six members of that Congress, including sixteen of the framers of the original Constitution, as before stated, were pre-eminently our fathers who framed that part of "the Government

under which we live," which is now claimed as forbidding the Federal Government to control slavery in the federal territories.

Is it not a little presumptuous in any one at this day to affirm that the two things which that Congress deliberately framed, and carried to maturity at the same time, are absolutely inconsistent with each other? And does not such affirmation become impudently absurd when coupled with the other affirmation from the same mouth, that those who did the two things, alleged to be inconsistent, understood whether they really were inconsistent better than we — better than he who affirms that they are inconsistent?

It is surely safe to assume that the thirty-nine framers of the original Constitution, and the seventy-six members of the Congress which framed the amendments thereto, taken together, do certainly include those who may be fairly called "our fathers who framed the Government under which we live." And so assuming, I defy any man to show that any one of them ever, in his whole life, declared that, in his understanding, any proper division of local from federal authority, or any part of the Constitution, forbade the Federal Government to control as to slavery in the federal territories. I go a step further. I defy any one to show that any living man in the whole world ever did, prior to the beginning of the present century, (and I might almost say prior to the beginning of the last half of the present century,) declare that, in his understanding, any proper division of local from federal authority, or any part of the Constitution, forbade the Federal Government to control as to slavery in the federal territories. To those who now so declare, I give, not only "our fathers who framed the Government under which we live,"

but with them all other living men within the century in which it was framed, among whom to search, and they shall not be able to find the evidence of a single man agreeing with them.

Now, and here, let me guard a little against being misunderstood. I do not mean to say we are bound to follow implicitly in whatever our fathers did. To do so, would be to discard all the lights of current experience — to reject all progress — all improvement. What I do say is, that if we would supplant the opinions and policy of our fathers in any case, we should do so upon evidence so conclusive, and argument so clear, that even their great authority, fairly considered and weighed, cannot stand; and most surely not in a case whereof we ourselves declare they understood the question better than we.

If any man at this day sincerely believes that a proper division of local from federal authority, or any part of the Constitution, forbids the Federal Government to control as to slavery in the federal territories, he is right to say so, and to enforce his position by all truthful evidence and fair argument which he can. But he has no right to mislead others, who have less access to history, and less leisure to study it, into the false belief that "our fathers who framed the Government under which we live" were of the same opinion — thus substituting falsehood and deception for truthful evidence and fair argument. If any man at this day sincerely believes "our fathers who framed the Government under which we live," used and applied principles, in other cases, which ought to have led them to understand that a proper division of local from federal authority or some part of the Constitution, forbids the Federal Government to control as to slavery in the federal territories, he is

right to say so. But he should, at the same time, brave the responsibility of declaring that, in his opinion, he understands their principles *better* than they did themselves; and especially should he not shirk that responsibility by asserting that they "understood the question just as well, and even better, than we do now."

But enough! *Let all who believe that "our fathers, who framed the Government under which we live, understood this question just as well, and even better, than we do now," speak as they spoke, and act as they acted upon it. This is all Republicans ask — all Republicans desire — in relation to slavery. As those fathers marked it, so let it be again marked, as an evil not to be extended, but to be tolerated and protected only because of and so far as its actual presence among us makes that toleration and protection a necessity. Let all the guaranties those fathers gave it, be, not grudgingly, but fully and fairly, maintained.* For this Republicans contend, and with this, so far as I know or believe, they will be content.

And now, if they would listen — as I suppose they will not — I would address a few words to the Southern people.

I would say to them: — You consider yourselves a reasonable and a just people; and I consider that in the general qualities of reason and justice you are not inferior to any other people. Still, when you speak of us Republicans, you do so only to denounce us as reptiles, or, at the best, as no better than outlaws. You will grant a hearing to pirates or murderers, but nothing like it to "Black Republicans." In all your contentions with one another, each of you deems an unconditional condemnation of "Black Republicanism" as the first thing to be attended to. Indeed, such condemnation of us

seems to be an indispensable prerequisite—license, so to speak — among you to be admitted or permitted to speak at all. Now, can you, or not, be prevailed upon to pause and to consider whether this is quite just to us, or even to yourselves? Bring forward your charges and specifications, and then be patient long enough to hear us deny or justify.

You say we are sectional. We deny it. That makes an issue; and the burden of proof is upon you. You produce your proof; and what is it? Why, that our party has no existence in your section — gets no votes in your section. The fact is substantially true; but does it prove the issue? If it does, then in case we should, without change of principle, begin to get votes in your section, we should thereby cease to be sectional. You cannot escape this conclusion; and yet, are you willing to abide by it? If you are, you will probably soon find that we have ceased to be sectional, for we shall get votes in your section this very year. You will then begin to discover, as the truth plainly is, that your proof does not touch the issue. The fact that we get no votes in your section, is a fact of your making, and not of ours. And if there be fault in that fact, that fault is primarily yours, and remains until you show that we repel you by some wrong principle or practice. If we do repel you by any wrong principle or practice, the fault is ours; but this brings you to where you ought to have started — to a discussion of the right or wrong of our principle. If our principle, put in practice, would wrong your section for the benefit of ours, or for any other object, then our principle, and we with it, are sectional, and are justly opposed and denounced as such. Meet us, then, on the question of whether our principle, put in practice, would wrong your section; and so meet it as if it were possible that something may be said on our

side. Do you accept the challenge? No! Then you really believe that the principle which "our fathers who framed the Government under which we live" thought so clearly right as to adopt it, and indorse it again and again, upon their official oaths, is in fact so clearly wrong as to demand your condemnation without a moment's consideration.

Some of you delight to flaunt in our faces the warning against sectional parties given by Washington in his Farewell Address. Less than eight years before Washington gave that warning, he had, as President of the United States, approved and signed an act of Congress, enforcing the prohibition of slavery in the Northwestern Territory, which act embodied the policy of the Government upon that subject up to and at the very moment he penned that warning; and about one year after he penned it, he wrote LaFayette that he considered that prohibition a wise measure, expressing in the same connection his hope that we should at some time have a confederacy of free States.

Bearing this in mind, and seeing that sectionalism has since arisen upon this same subject, is that warning a weapon in your hands against us, or in our hands against you? Could Washington himself speak, would he cast the blame of that sectionalism upon us, who sustain his policy, or upon you who repudiate it? We respect that warning of Washington, and we commend it to you, together with his example pointing to the right application of it.

You charge that we stir up insurrections among your slaves. We deny it; and what is your proof? Harper's Ferry! John Brown!! John Brown was no Republican; and you have failed to implicate a single Republican in his Harper's Ferry enterprise. If any member of our party is guilty in that matter,

you know it or you do not know it. If you do know it, you are inexcusable for not designating the man and proving the fact. If you do not know it, you are inexcusable for asserting it, and especially for persisting in the assertion after you have tried and failed to make the proof. You need not be told that persisting in a charge which one does not know to be true, is simply malicious slander.

Some of you admit that no Republican designedly aided or encouraged the Harper's Ferry affair, but still insist that our doctrines and declarations necessarily lead to such results. We do not believe it. We know we hold to no doctrine, and make no declaration, which were not held to and made by "our fathers who framed the Government under which we live." You never dealt fairly by us in relation to this affair. When it occurred, some important State elections were near at hand, and you were in evident glee with the belief that, by charging the blame upon us, you could get an advantage of us in those elections. The elections came, and your expectations were not quite fulfilled. Every Republican man knew that, as to himself at least, your charge was a slander, and he was not much inclined by it to cast his vote in your favor. Republican doctrines and declarations are accompanied with a continual protest against any interference whatever with your slaves, or with you about your slaves. Surely, this does not encourage them to revolt. True, we do, in common with "our fathers, who framed the Government under which we live," declare our belief that slavery is wrong; but the slaves do not hear us declare even this. For anything we say or do, the slaves would scarcely know there is a Republican party. I believe they would not, in fact, generally know it but for your misrepresentations of us, in their hearing. In your

political contests among yourselves, each faction charges the other with sympathy with Black Republicanism; and then, to give point to the charge, defines Black Republicanism to simply be insurrection, blood and thunder among the slaves.

Slave insurrections are no more common now than they were before the Republican party was organized. What induced the Southampton insurrection, twenty-eight years ago, in which at least three times as many lives were lost as at Harper's Ferry? You can scarcely stretch your very elastic fancy to the conclusion that Southampton was "got up by Black Republicanism." In the present state of things in the United States, I do not think a general, or even a very extensive slave insurrection is possible. The indispensable concert of action cannot be attained. The slaves have no means of rapid communication; nor can incendiary freemen, black or white, supply it. The explosive materials are everywhere in parcels; but there neither are, nor can be supplied, the indispensable connecting trains.

Much is said by Southern people about the affection of slaves for their masters and mistresses; and a part of it, at least, is true. A plot for an uprising could scarcely be devised and communicated to twenty individuals before some one of them, to save the life of a favorite master or mistress, would divulge it. This is the rule; and the slave revolution in Hayti was not an exception to it, but a case occurring under peculiar circumstances. The gunpowder plot of British history, though not connected with slaves, was more in point. In that case, only about twenty were admitted to the secret; and yet one of them, in his anxiety to save a friend, betrayed the plot to that friend, and, by consequence, averted the calamity. Occasional poisonings from

the kitchen, and open or stealthy assassinations in the field, and local revolts extending to a score or so, will continue to occur as the natural results of slavery; but no general insurrection of slaves, as I think, can happen in this country for a long time. Whoever much fears, or much hopes for such an event, will be alike disappointed.

In the language of Mr. Jefferson, uttered many years ago, "It is still in our power to direct the process of emancipation, and deportation, peaceably, and in such slow degrees, as that the evil will wear off insensibly; and their places be, *pari passu*, filled up by free white laborers. If, on the contrary, it is left to force itself on, human nature must shudder at the prospect held up."

Mr. Jefferson did not mean to say, nor do I, that the power of emancipation is in the Federal Government. He spoke of Virginia; and, as to the power of emancipation, I speak of the slave-holding States only. The Federal Government, however, as we insist, has the power of restraining the extension of the institution — the power to insure that a slave insurrection shall never occur on any American soil which is now free from slavery.

But you will break up the Union rather than submit to a denial of your Constitutional rights.

That has a somewhat reckless sound; but it would be palliated, if not fully justified, were we proposing, by the mere force of numbers, to deprive you of some right, plainly written down in the Constitution. But we are proposing no such thing.

When you make these declarations, you have a specific and well-understood allusion to an assumed Constitutional right of yours, to take slaves into the federal territories, and to hold them there as property. But no such right is specifically writ-

ten in the Constitution. That instrument is literally silent about any such right. We, on the contrary, deny that such a right has any existence in the Constitution, even by implication.

Your purpose, then, plainly stated, is that you will destroy the Government, unless you be allowed to construe and enforce the Constitution as you please, on all points in dispute between you and us. You will rule or ruin in all events.

This, plainly stated, is your language. Perhaps you will say the Supreme Court has decided the disputed Constitutional question in your favor. Not quite so. But waiving the lawyer's distinction between dictum and decision, the Court have decided the question for you in a sort of way. The Court have substantially said, it is your Constitutional right to take slaves into the federal territories, and to hold them there as property. When I say the decision was made in a sort of way, I mean it was made in a divided Court, by a bare majority of the Judges, and they not quite agreeing with one another in the reasons for making it; that it is so made as that its avowed supporters disagree with one another about its meaning, and that it was mainly based upon a mistaken statement of fact — the statement in the opinion that "the right of property in a slave is distinctly and expressly affirmed in the Constitution."

An inspection of the Constitution will show that the right of property in a slave is not "*distinctly* and *expressly* affirmed" in it. Bear in mind, the Judges do not pledge their judicial opinion that such right is *impliedly* affirmed in the Constitution; but they pledge their veracity that it is "*distinctly* and *expressly*" affirmed there — "distinctly," that is, not mingled with anything else — "expressly," that is, in words meaning just that, without the aid of any

inference, and susceptible of no other meaning.

If they had only pledged their judicial opinion that such right is affirmed in the instrument by implication, it would be open to others to show that neither the word "slave" nor "slavery" is to be found in the Constitution, nor the word "property" even, in any connection with language alluding to the things slave, or slavery; and that wherever in that instrument the slave is alluded to, he is called a "person";—and wherever his master's legal right in relation to him is alluded to, it is spoken of as "service or labor which may be due," — as a debt payable in service or labor. Also, it would be open to show, by contemporaneous history, that this mode of alluding to slaves and slavery, instead of speaking of them, was employed on purpose to exclude from the Constitution the idea that there could be property in man.

To show all this, is easy and certain.

When this obvious mistake of the Judges shall be brought to their notice, is it not reasonable to expect that they will withdraw the mistaken statement, and reconsider the conclusion based upon it?

And then it is to be remembered that "our fathers, who framed the Government under which we live" — the men who made the Constitution — decided this same Constitutional question in our favor, long ago—decided it without division among themselves, when making the decision; without division among themselves about the meaning of it after it was made, and, so far as any evidence is left, without basing it upon any mistaken statement of facts.

Under all these circumstances, do you really feel yourselves justified to break up this Government unless such a court decision as yours is, shall be at once submitted to as a conclusive and final

rule of political action? But you will not abide the election of a Republican president! In that supposed event, you say, you will destroy the Union; and then, you say, the great crime of having destroyed it will be upon us! That is cool. A highwayman holds a pistol to my ear, and mutters through his teeth, "Stand and deliver, or I shall kill you, and then you will be a murderer!"

To be sure, what the robber demanded of me — my money — was my own; and I had a clear right to keep it; but it was no more my own than my vote is my own; and the threat of death to me, to extort my money, and the threat of destruction to the Union, to extort my vote, can scarcely be distinguished in principle.

A few words now to Republicans. *It is exceedingly desirable that all parts of this great Confederacy shall be at peace, and in harmony, one with another. Let us Republicans do our part to have it so. Even though much provoked, let us do nothing through passion and ill temper. Even though the southern people will not so much as listen to us, let us calmly consider their demands, and yield to them if, in our deliberate view of our duty, we possibly can.* Judging by all they say and do, and by the subject and nature of their controversy with us, let us determine, if we can, what will satisfy them.

Will they be satisfied if the Territories be unconditionally surrendered to them? We know they will not. In all their present complaints against us, the Territories are scarcely mentioned. Invasions and insurrections are the rage now. Will it satisfy them, if, in the future, we have nothing to do with invasions and insurrections? We know it will not. We so know, because we know we never had any-

thing to do with invasions and insurrections; and yet this total abstaining does not exempt us from the charge and the denunciation.

The question recurs, what will satisfy them? Simply this: We must not only let them alone, but we must somehow, convince them that we do let them alone. This, we know by experience, is no easy task. We have been so trying to convince them from the very beginning of our organization, but with no success. In all our platforms and speeches we have constantly protested our purpose to let them alone; but this has had no tendency to convince them. Alike unavailing to convince them, is the fact that they have never detected a man of us in any attempt to disturb them.

These natural, and apparently adequate means all failing, what will convince them? This, and this only: cease to call slavery *wrong*, and join them in calling it *right*. And this must be done thoroughly — done in *acts* as well as in *words*. Silence will not be tolerated — we must place ourselves avowedly with them. Senator Douglas's new sedition law must be enacted and enforced, suppressing all declarations that slavery is wrong, whether made in politics, in presses, in pulpits, or in private. We must arrest and return their fugitive slaves with greedy pleasure. We must pull down our Free State constitutions. The whole atmosphere must be disinfected from all taint of opposition to slavery, before they will cease to believe that all their troubles proceed from us.

I am quite aware they do not state their case precisely in this way. Most of them would probably say to us, "Let us alone, do nothing to us, and say what you please about slavery." But we do let them alone — have never disturbed them — so that, after all, it is what we say, which dissatisfies them.

They will continue to accuse us of doing, until we cease saying.

I am also aware they have not, as yet, in terms, demanded the overthrow of our Free-State Constitutions. Yet those Constitutions declare the wrong of slavery, with more solemn emphasis, than do all other sayings against it; and when all these other sayings shall have been silenced, the overthrow of these Constitutions will be demanded, and nothing be left to resist the demand. It is nothing to the contrary, that they do not demand the whole of this just now. Demanding what they do, and for the reason they do, they can voluntarily stop nowhere short of this consummation. Holding, as they do, that slavery is morally right, and socially elevating, they cannot cease to demand a full national recognition of it, as a legal right, and a social blessing.

Nor can we justifiably withhold this, on any ground save our conviction that slavery is wrong. If slavery is right, all words, acts, laws, and constitutions against it, are themselves wrong, and should be silenced, and swept away. If it is right, we cannot justly object to its nationality — its universality; if it is wrong, they cannot justly insist upon its extension — its enlargement. All they ask, we could readily grant, if we thought slavery right; all we ask, they could as readily grant, if they thought it wrong. Their thinking it right, and our thinking it wrong, is the precise fact upon which depends the whole controversy. Thinking it right, as they do, they are not to blame for desiring its full recognition, as being right; but, thinking it wrong, as we do, can we yield to them? Can we cast our votes with their view, and against our own? In view of our moral, social, and political responsibilities, can we do this?

Wrong as we think slavery is, we can yet afford to let it alone where it is, because that much is due to the necessity arising from its actual presence in the nation; but can we, while our votes will prevent it, allow it to spread into the National Territories, and to overrun us here in these Free States? If our sense of duty forbids this, then let us stand by our duty, fearlessly and effectively. Let us be diverted by none of those sophistical contrivances wherewith we are so industriously plied and belabored — contrivances such as groping for some middle ground between the right and the wrong, vain as the search for a man who should be neither a living man nor a dead man — such as a policy of "don't care" on a question about which all true men do care — such as Union appeals beseeching true Union men to yield to Disunionists, reversing the divine rule, and calling, not the sinners, but the righteous to repentance — such as invocations to Washington, imploring men to unsay what Washington said, and undo what Washington did.

Neither let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the Government nor of dungeons to ourselves. *Let us have faith that Right makes Might, and in that faith, let us, to the end, dare to do our duty as we understand it.*

FAREWELL ADDRESS: DELIVERED AT SPRINGFIELD, ILLINOIS FEBRUARY 11, 1861

When Lincoln's election was certain, South Carolina and the other states of the deep South seceded Just three days before Lincoln's departure from Springfield the new Confederate government had been formed. In Washington, President Buchanan was wavering, and many Northerners were reconciled to the split

My Friends:

No one, not in my situation, can appreciate my feeling of sadness at this parting. To this place, and the kindness of these people, I owe everything. Here I have lived a quarter of a century, and have passed from a young to an old man. Here my children have been born, and one is buried. I now leave, not knowing when or whether ever I may return, with a task before me greater than that which rested upon Washington. Without the assistance of that Divine Being who ever attended him, I cannot succeed. With that assistance, I cannot fail. Trusting in Him who can go with me, and remain with you, and be everywhere for good, let us confidently hope that all will yet be well. To His care commending you, as I hope in your prayers you will commend me, I bid you an affectionate farewell.

FIRST INAUGURAL ADDRESS: DELIVERED AT WASHINGTON MARCH 4, 1861

Virginia and other slave states had not as yet seceded, and compromises were suggested to re-capture the South. Seward, Secretary of State to-be, was formulating plans for foreign wars to re-unite the Union. Lincoln rejected such compromises and such wars, but the firing on the Union Flag at Fort Sumter precipitated civil war between the States.

FELLOW-CITIZENS OF THE UNITED STATES:

IN compliance with a custom as old as the government itself, I appear before you to address you briefly, and to take, in your presence, the oath prescribed by the Constitution of the United States, to be taken by the President "before he enters on the execution of his office."

I do not consider it necessary at present for me to discuss those matters of administration about which there is no special anxiety or excitement.

Apprehension seems to exist among the people of the Southern States, that by the accession of a Republican Administration, their property, and their peace, and personal security, are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while

existed, and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so." Those who nominated and elected me did so with full knowledge that I had made this, and many similar declarations, and had never recanted them. And more than this, they placed in the platform, for my acceptance, and as a law to themselves, and to me, the clear and emphatic resolution which I now read:

"*Resolved*, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depend; and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes."

I now reiterate these sentiments: and in doing so, I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace and security of no section are to be in any wise endangered by the now incoming Administration. I add too, that all the protection which, consistently with the Constitution and the laws, can be given, will be cheerfully given to all the States when lawfully demanded, for whatever cause — as cheerfully to one section as to another.

There is much controversy about the delivering up of fugitives from service or labor. The clause I now read is as plainly written in the Constitution as any other of its provisions:

"No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

It is scarcely questioned that this provision was intended by those who made it, for the reclaiming of what we call fugitive slaves; and the intention of the law-giver is the law. All members of Congress swear their support to the whole Constitution — to this provision as much as to any other. To the proposition, then, that slaves whose cases come within the terms of this clause, "shall be delivered up," their oaths are unanimous. Now, if they would make the effort in good temper, could they not, with nearly equal unanimity, frame and pass a law, by means of which to keep good that unanimous oath?

There is some difference of opinion whether this clause should be enforced by national or by state authority; but surely that difference is not a very material one. If the slave is to be surrendered, it can be of but little consequence to him, or to others, by which authority it is done. And should any one, in any case, be content that his oath shall go unkept, on a merely unsubstantial controversy as to *how* it shall be kept?

Again, in any law upon this subject, ought not all the safeguards of liberty known in civilized and humane jurisprudence to be introduced, so that a free man be not, in any case, surrendered as a

slave? And might it not be well, at the same time to provide by law for the enforcement of that clause in the Constitution which guarantees that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States?"

I take the official oath to-day, with no mental reservations, and with no purpose to construe the Constitution or laws, by any hypercritical rules. And while I do not choose now to specify particular acts of Congress as proper to be enforced, I do suggest that it will be much safer for all, both in official and private stations, to conform to, and abide by, all those acts which stand unrepealed, than to violate any of them, trusting to find impunity in having them held to be unconstitutional.

It is seventy-two years since the first inauguration of a President under our national Constitution. During that period fifteen different and greatly distinguished citizens, have, in succession, administered the executive branch of the government. They have conducted it through many perils; and, generally, with great success. Yet, with all this scope of precedent, I now enter upon the same task for the brief constitutional term of four years, under great and peculiar difficulty. A disruption of the Federal Union, heretofore only menaced, is now formidably attempted.

I hold, that in contemplation of universal law, and of the Constitution, the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of all national governments. It is safe to assert that no government proper, ever had a provision in its organic law for its own termination. Continue to execute all the express provisions of our national Constitution, and the Union will endure forever – it being im-

possible to destroy it, except by some action not provided for in the instrument itself.

Again, if the United States be not a government proper, but an association of States in the nature of contract merely, can it, as a contract, be peaceably unmade, by less than all the parties who made it? One party to a contract may violate it — break it, so to speak; but does it not require all to lawfully rescind it?

Descending from these general principles, we find the proposition that, in legal contemplation, the Union is perpetual, confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778. And finally, in 1787, one of the declared objects for ordaining and establishing the Constitution, was "*to form a more perfect Union.*"

But if the destruction of the Union, by one, or by a part only, of the States, be lawfully possible, the Union is *less* perfect than before the Constitution, having lost the vital element of perpetuity.

It follows from these views that no State, upon its own mere motion, can lawfully get out of the Union, — that *resolves* and *ordinances* to that effect are legally void, and that acts of violence, within any State or States, against the authority of the United States, are insurrectionary or revolutionary, according to circumstances.

I therefore consider that in view of the Constitution and the laws, the Union is unbroken; and to the extent of my ability I shall take care, as the

Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States. Doing this I deem to be only a simple duty on my part; and I shall perform it, so far as practicable, unless my rightful masters, the American people, shall withhold the requisite means, or, in some authoritative manner, direct the contrary. I trust this will not be regarded as a menace, but only as the declared purpose of the Union that it will constitutionally defend and maintain itself.

In doing this there needs to be no bloodshed or violence; and there shall be none, unless it be forced upon the national authority. The power confided to me will be used to hold, occupy, and possess the property and places belonging to the government, and to collect the duties and imposts; but beyond what may be necessary for these objects, there will be no invasion — no using of force against or among the people anywhere. Where hostility to the United States, in any interior locality, shall be so great and so universal, as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people for that object. While the strict legal right may exist in the government to enforce the exercise of these offices, the attempt to do so would be so irritating, and so nearly impracticable with all, that I deem it better to forego, for the time, the uses of such offices.

The mails, unless repelled, will continue to be furnished in all parts of the Union. So far as possible, the people everywhere shall have that sense of perfect security which is most favorable to calm thought and reflection. The course here indicated will be followed, unless current events and experience shall show a modification or change to be proper; and in every case and exigency my best

discretion will be exercised according to circumstances actually existing, and with a view and a hope of a peaceful solution of the national troubles, and the restoration of fraternal sympathies and affections.

That there are persons in one section or another who seek to destroy the Union at all events, and are glad of any pretext to do it, I will neither affirm or deny; but if there be such, I need address no word to them. To those, however, who really love the Union, may I not speak?

Before entering upon so grave a matter as the destruction of our national fabric, with all its benefits, its memories and its hopes, would it not be wise to ascertain precisely why we do it? Will you hazard so desperate a step, while there is any possibility that any portion of the ills you fly from have no real existence? Will you, while the certain ills you fly to, are greater than all the real ones you fly from? Will you risk the commission of so fearful a mistake?

All profess to be content in the Union, if all constitutional rights can be maintained. Is it true, then, that any right, plainly written in the Constitution, has been denied? I think not. Happily the human mind is so constituted, that no party can reach to the audacity of doing this. Think, if you can, of a single instance in which a plainly written provision of the Constitution has ever been denied. If, by the mere force of numbers, a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution — certainly would, if such a right were a vital one. But such is not our case. All the vital rights of minorities, and of individuals, are so plainly assured to them, by affirmations and negations, guarantees and prohibitions, in the Consti-

tution, that controversies never arise concerning them. But no organic law can ever be framed with a provision specifically applicable to every question which may occur in practical administration. No foresight can anticipate, nor any document of reasonable length contain express provisions for all possible questions. Shall fugitives from labor be surrendered by national or by State authority? The Constitution does not expressly say. *May* Congress prohibit slavery in the territories? The Constitution does not expressly say. *Must* Congress protect slavery in the territories? The Constitution does not expressly say.

From questions of this class spring all our constitutional controversies, and we divide upon them into majorities and minorities. If the minority will not acquiesce, the majority must, or the government must cease. There is no other alternative; for continuing the government, is acquiescence on one side or the other. If a minority, in such case, will secede rather than acquiesce, they make a precedent which, in turn, will divide and ruin them; for a minority of their own will secede from them whenever a majority refuses to be controlled by such minority. For instance, why may not any portion of a new confederacy, a year or two hence, arbitrarily secede again, precisely as portions of the present Union now claim to secede from it? All who cherish disunion sentiments, are now being educated to the exact temper of doing this.

Is there such perfect identity of interests among the States to compose a new Union, as to produce harmony only, and prevent renewed secession?

Plainly, the central idea of secession, is the essence of anarchy. A majority, held in restraint by constitutional checks and limitations, and always changing easily with deliberate changes of popu-

lar opinions and sentiments, is the only true sovereign of a free people. Whoever rejects it, does, of necessity, fly to anarchy or to despotism. Unanimity is impossible; the rule of a minority, as a permanent arrangement, is wholly inadmissible; so that, rejecting the majority principle, anarchy or despotism in some form is all that is left.

I do not forget the position assumed by some, that constitutional questions are to be decided by the Supreme Court; nor do I deny that such decisions must be binding in any case, upon the parties to a suit, as to the object of that suit, while they are also entitled to very high respect and consideration in all parallel cases by all other departments of the government. And while it is obviously possible that such decision may be erroneous in any given case, still the evil effect following it, being limited to that particular case, with the chance that it may be over-ruled, and never become a precedent for other cases, can better be borne than could the evils of a different practice. At the same time, the candid citizen must confess that if the policy of the government upon vital questions, affecting the whole people, is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made, in ordinary litigation between parties, in personal actions, the people will have ceased to be their own rulers, having to that extent practically resigned their government into the hands of that eminent tribunal. Nor is there in this view any assault upon the court or the judges. It is a duty from which they may not shrink, to decide cases properly brought before them; and it is no fault of theirs if others seek to turn their decisions to political purposes.

One section of our country believes slavery is *right*, and ought to be extended, while the other

believes it is *wrong*, and ought not to be extended. This is the only substantial dispute. The fugitive slave clause of the Constitution, and the law for the suppression of the foreign slave trade, are each as well enforced, perhaps, as any law can ever be in a community where the moral sense of the people imperfectly supports the law itself. The great body of the people abide by the dry legal obligation in both cases, and a few break over in each. This, I think, cannot be perfectly cured; and it would be worse in both cases *after* the separation of the sections, than before. The foreign slave trade, now imperfectly suppressed, would be ultimately revived without restriction, in one section; while fugitive slaves, now only partially surrendered, would not be surrendered at all, by the other.

Physically speaking, we cannot separate. We cannot remove our respective sections from each other, nor build an impassable wall between them. A husband and wife may be divorced, and go out of the presence, and beyond the reach of each other; but the different parts of our country cannot do this. They cannot but remain face to face; and intercourse, either amicable or hostile, must continue between them. Is it possible, then, to make that intercourse more advantageous or more satisfactory, *after* separation than *before?* Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws can among friends? Suppose you go to war, you cannot fight always; and when, after much loss on both sides, and no gain on either, you cease fighting, the identical old questions, as to terms of intercourse, are again upon you.

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall

grow weary of the existing government, they can exercise their *constitutional* right of amending it, or their *revolutionary* right to dismember or overthrow it. I cannot be ignorant of the fact that many worthy and patriotic citizens are desirous of having the national Constitution amended. While I make no recommendation of amendments, I fully recognize the rightful authority of the people over the whole subject to be exercised in either of the modes prescribed in the instrument itself; and I should under existing circumstances favor rather than oppose a fair opportunity being afforded the people to act upon it.

I will venture to add that to me the Convention mode seems preferable, in that it allows amendments to originate with the people themselves, instead of only permitting them to take or reject propositions, originated by others, not especially chosen for the purpose, and which might not be precisely such as they would wish to either accept or refuse.

I understand a proposed amendment to the Constitution, which amendment, however, I have not seen, has passed Congress, to the effect that the federal government shall never interfere with the domestic institutions of the States, including that of persons held to service. To avoid misconstruction of what I have said, I depart from my purpose not to speak of particular amendments, so far as to say that holding such a provision to now be implied constitutional law, I have no objection to its being made express and irrevocable.

The Chief Magistrate derives all his authority from the people, and they have conferred none upon him to fix terms for the separation of the States. The people themselves can do this also if they choose; but the executive, as such, has noth-

ing to do with it. His duty is to administer the present government, as it came to his hands, and to transmit it, unimpaired by him, to his successor.

Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope, in the world? In our present differences, is either party without faith of being in the right? If the Almighty Ruler of nations, with his eternal truth and justice, be on your side of the North or on yours of the South, that truth, and that justice, will surely prevail, by the judgment of this great tribunal, the American people.

By the frame of the government under which we live, this same people have wisely given their public servants but little power for mischief; and have, with equal wisdom, provided for the return of that little to their own hands at very short intervals. While the people retain their virtue and vigilance, no administration, by any extreme of wickedness or folly, can very seriously injure the government in the short space of four years.

My countrymen, one and all, think calmly and *well*, upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to *hurry* any of you, in hot haste, to a step which you would never take *deliberately*, that object will be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied, still have the old Constitution unimpaired, and, on the sensitive point, the laws of your own framing under it; while the new administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied, hold the right side in the dispute, there still is no single good reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him, who has never yet for-

saken this favored land, are still competent to adjust, in the best way, all our present difficulty.

In *your* hands, my dissatisfied fellow countrymen, and not in *mine*, is the momentous issue of civil war. The government will not assail *you*. You can have no conflict, without being yourselves the aggressors. *You* have no oath registered in Heaven to destroy the government, while *I* shall have the most solemn one to "preserve, protect and defend" it.

I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field, and patriot grave, to every living heart and hearth-stone, all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.

FOUR score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But, in a larger sense, we can not dedicate — we can not consecrate — we can not hallow — this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us — that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion — that we here highly resolve that these dead shall not have died in vain — that this nation, under God, shall have a new birth of freedom — and that government of the people, by the people, for the people, shall not perish from the earth.

SECOND INAUGURAL ADDRESS: DELIVERED AT WASHINGTON MARCH 4, 1865

Lincoln had been re-nominated by a strong combination of Republicans and pro-war Democrats, but his candidacy was nearly wrecked by Republican extremists and defeatists. However, thanks to Southern truculence and Northern military successes, Lincoln won easily over the Democrat McClellan with his defeatist platform.

At this second appearing to take the oath of the presidential office, there is less occasion for an extended address than there was at the first. Then a statement, somewhat in detail, of a course to be pursued, seemed fitting and proper. Now, at the expiration of four years, during which public declarations have been constantly called forth on every point and phase of the great contest which still absorbs the attention, and engrosses the energies of the nation, little that is new could be presented. The progress of our arms, upon which all else chiefly depends, is as well known to the public as to myself; and it is, I trust, reasonably satisfactory and encouraging to all. With high hope for the future, no prediction in regard to it is ventured.

On the occasion corresponding to this four years ago, all thoughts were anxiously directed to an impending civil war. All dreaded it — all sought to

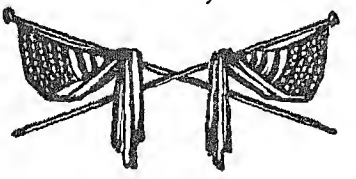
avert it. While the inaugural address was being delivered from this place, devoted altogether to *saving* the Union without war, insurgent agents were in the city seeking to *destroy* it without war — seeking to dissolve the Union, and divide effects, by negotiation. Both parties deprecated war; but one of them would *make* war rather than let the nation survive; and the other would *accept* war rather than let it perish. And the war came.

One eighth of the whole population were colored slaves, not distributed generally over the Union, but localized in the Southern part of it. These slaves constituted a peculiar and powerful interest. All knew that this interest was, somehow, the cause of the war. To strengthen, perpetuate, and extend this interest was the object for which the insurgents would rend the Union, even by war; while the government claimed no right to do more than to restrict the territorial enlargement of it. Neither party expected for the war, the magnitude, or the duration, which it has already attained. Neither anticipated that the *cause* of the conflict might cease with, or even before, the conflict itself should cease. Each looked for an easier triumph, and a result less fundamental and astounding. Both read the same Bible, and pray to the same God; and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces; but let us judge not that we be not judged. The prayers of both could not be answered; that of neither has been answered fully. The Almighty has his own purposes. "Woe unto the world because of offences! for it must needs be that offences come; but woe to that man by whom the offence cometh!" If we shall suppose that American Slav-

ery is one of those offences which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South, this terrible war, as the woe due to those by whom the offence came, shall we discern therein any departure from those divine attributes which the believers in a Living God always ascribe to Him? Fondly do we hope — fervently do we pray — that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue, until all the wealth piled by the bond-man's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash, shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said; "the judgments of the Lord, are true and righteous altogether."

With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan — to do all which may achieve and cherish a just and lasting peace, among ourselves, and with all nations.

LAST PUBLIC ADDRESS
APRIL 11, 1865



For moral, political, or personal reasons, many influential Northerners urged a ruthless or degrading peace on the defeated South. Lincoln knew there could be re-union only among equals, and since Congress was not to meet for months he hoped to be able to present it with a *fait accompli*. He was shot two days after this speech.

We meet this evening, not in sorrow, but in gladness of heart. The evacuation of Petersburg and Richmond, and the surrender of the principal insurgent army, give hope of a righteous and speedy peace whose joyous expression can not be restrained. In the midst of this, however, He from whom all blessings flow, must not be forgotten. A call for a national thanksgiving is being prepared, and will be duly promulgated. Nor must those whose harder part gives us the cause of rejoicing, be overlooked. Their honors must not be parcelled out with others. I myself was near the front, and had the high pleasure of transmitting much of the good news to you; but no part of the honor, for plan or execution, is mine. To Gen. Grant, his skilful officers, and brave men, all belongs. The gallant Navy stood ready, but was not in reach to take active part.

By these recent successes the re-inauguration of the national authority — reconstruction — which has had a large share of thought from the first, is pressed much more closely upon our attention. It is fraught with great difficulty. Unlike a case of a war between independent nations, there is no authorized organ for us to treat with. No one man has authority to give up the rebellion for any other man. We simply must begin with, and mould from, disorganized and discordant elements. Nor is it a small additional embarrassment that we, the loyal people, differ among ourselves as to the mode, manner, and means of reconstruction.

As a general rule, I abstain from reading the reports of attacks upon myself, wishing not to be provoked by that to which I can not properly offer an answer. In spite of this precaution, however, it comes to my knowledge that I am much censured for some supposed agency in setting up, and seeking to sustain, the new State government of Louisiana. In this I have done just so much as, and no more than, the public knows. In the Annual Message of Dec. 1863 and accompanying Proclamation, I presented *a* plan of re-construction (as the phrase goes) which, I promised, if adopted by any State, should be acceptable to, and sustained by, the Executive government of the nation. I distinctly stated that this was not the only plan which might possibly be acceptable; and I also distinctly protested that the Executive claimed no right to say when, or whether members should be admitted to seats in Congress from such States. This plan was, in advance, submitted to the then Cabinet, and distinctly approved by every member of it. One of them suggested that I should then, and in that connection, apply the Emancipation Proclamation to the theretofore excepted parts of Virginia and

Louisiana; that I should drop the suggestion about apprenticeship for freed-people, and that I should omit the protest against my own power, in regard to the admission of members to Congress; but even he approved every part and parcel of the plan which has since been employed or touched by the action of Louisiana. The new constitution of Louisiana, declaring emancipation for the whole State, practically applies the Proclamation to the part previously excepted. It does not adopt apprenticeship for freed-people; and it is silent, as it could not well be otherwise, about the admission of members to Congress. So that, as it applies to Louisiana, every member of the Cabinet fully approved the plan. The message went to Congress, and I received many commendations of the plan, written and verbal; and not a single objection to it, from any professed emancipationist, came to my knowledge, until after the news reached Washington that the people of Louisiana had begun to move in accordance with it. From about July 1862, I had corresponded with different persons, supposed to be interested, seeking a reconstruction of a State government for Louisiana. When the message of 1863, with the plan before mentioned, reached New-Orleans, Gen. Banks wrote me that he was confident the people, with his military co-operation, would reconstruct, substantially on that plan. I wrote him, and some of them to try it; they tried it, and the result is known. Such only has been my agency in getting up the Louisiana government. As to sustaining it, my promise is out, as before stated. But, as bad promises are better broken than kept, I shall treat this as a bad promise, and break it, whenever I shall be convinced that keeping it is adverse to the public interest. But I have not yet been so convinced.

I have been shown a letter on this subject, supposed to be an able one, in which the writer expresses regret that my mind has not seemed to be definitely fixed on the question whether the seceded States, so called, are in the Union or out of it. It would perhaps, add astonishment to his regret, were he to learn that since I have found professed Union men endeavoring to make that question, I have *purposely* forborne any public expression upon it. As appears to me that question has not been, nor yet is, a practically material one, and that any discussion of it, while it thus remains practically immaterial, could have no effect other than the mischievous one of dividing our friends. As yet, whatever it may hereafter become, that question is bad, as the basis of a controversy, and good for nothing at all — a merely pernicious abstraction.

We all agree that the seceded States, so called, are out of their proper practical relation with the Union; and that the sole object of the government, civil and military, in regard to those States is to again get them into that proper practical relation. I believe it is not only possible, but in fact, easier to do this, without deciding, or even considering, whether these States have ever been out of the Union, than with it. Finding themselves safely at home, it would be utterly immaterial whether they had ever been abroad. Let us all join in doing the acts necessary to restoring the proper practical relations between these States and the Union; and each forever after, innocently indulge his own opinion whether, in doing the acts, he brought the States from without, into the Union, or only gave them proper assistance, they never having been out of it.

The amount of constituency, so to speak, on

which the new Louisiana government rests, would be more satisfactory to all, if it contained fifty, thirty, or even twenty thousand, instead of only about twelve thousand, as it does. It is also unsatisfactory to some that the elective franchise is not given to the colored man. I would myself prefer that it were now conferred on the very intelligent, and on those who serve our cause as soldiers. Still the question is not whether the Louisiana government, as it stands, is quite all that is desirable. The question is, "Will it be wiser to take it as it is, and help to improve it; or to reject, and disperse it?" "Can Louisiana be brought into proper practical relation with the Union *sooner* by *sustaining*, or by *discarding* her new State government?"

Some twelve thousand voters in the heretofore slave-state of Louisiana have sworn allegiance to the Union, assumed to be the rightful political power of the State, held elections, organized a State government, adopted a free-state constitution, giving the benefit of public schools equally to black and white, and empowering the Legislature to confer the elective franchise upon the colored man. Their Legislature has already voted to ratify the constitutional amendment recently passed by Congress, abolishing slavery throughout the nation. These twelve thousand persons are thus fully committed to the Union, and to perpetual freedom in the state — committed to the very things, and nearly all the things the nation wants — and they ask the nation's recognition and its assistance to make good their committal. Now, if we reject, and spurn them, we do our utmost to disorganize and disperse them. We in effect say to the white men "You are worthless, or worse — we will neither help you, nor be helped by you." To the blacks we say "This cup of liberty which these, your old

masters, hold to your lips, we will dash from you, and leave you to the chances of gathering the spilled and scattered contents in some vague and undefined when, where, and how." If this course, discouraging and paralyzing both white and black, has any tendency to bring Louisiana into proper practical relations with the Union, I have, so far, been unable to perceive it. If, on the contrary, we recognize, and sustain the new government of Louisiana, the converse of all this is made true. We encourage the hearts, and nerve the arms of the twelve thousand to adhere to their work, and argue for it, and proselyte for it, and fight for it, and feed it, and grow it, and ripen it to a complete success.

The colored man too, in seeing all united for him, is inspired with vigilance, and energy, and daring, to the same end. Grant that he desires the elective franchise, will he not attain it sooner by saving the already advanced steps toward it, than by running backward over them? Concede that the new government of Louisiana is only to what it should be as the egg is to the fowl, shall we sooner have the fowl by hatching the egg than by smashing it? Again, if we reject Louisiana, we also reject one vote in favor of the proposed amendment to the national Constitution. To meet this proposition, it has been argued that no more than three fourths of those States which have not attempted secession are necessary to validly ratify the amendment. I do not commit myself against this, further than to say that such a ratification would be questionable, and sure to be persistently questioned; while a ratification by three-fourths of all the States would be unquestioned and unquestionable.

I repeat the question. "Can Louisiana be brought into proper practical relation with the Union

sooner by *sustaining* or by *discarding* her new 'State Government?"

What has been said of Louisiana will apply generally to other States. And yet so great peculiarities pertain to each state, and such important and sudden changes occur in the same state; and, withal, so new and unprecedented is the whole case, that no exclusive, and inflexible plan can safely be prescribed as to details and collaterals. Such exclusive, and inflexible plan, would surely become a new entanglement. Important principles may, and must, be inflexible.

In the present "*situation*" as the phrase goes, it may be my duty to make some new announcement to the people of the South. I am considering, and shall not fail to act, when satisfied that action will be proper.

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